

**Is there a successful transition without European
integration? Investigating the key determinants of
Ukraine's post-communist transformation**

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ABSTRACT

Nearly thirty years have passed since the collapse of communism and the developmental paths of former communist states remain diverse and changeable. While some countries have fulfilled their expectations by becoming well functioning democracies, others have evolved as hybrid regimes or have become immersed into new forms of authoritarianism. Against this background, Ukraine stands out as a unique case, since its economic potential and democratic aspirations were viewed as the ideal basis for a successful post-communist transition. Yet notwithstanding the declarations by its officials and attempts at democratisation by the broader public (Ukraine hosted two ‘democratic revolutions’), the country is still undergoing painful reforms that purportedly help its political, economic and socio-cultural transformation.

Importantly, in this process Ukraine orients itself towards other European states and specifically those post-communist states that have become members of the European Union (EU), thus, associating their accomplished transitions with membership of the EU. Furthermore, Ukraine’s key developmental problems are also seen to be rooted in the combination of domestic (identity issue and regionalism, corruption and state capture) and external (geopolitical) challenges that prevent it from accomplishing its transition. While domestic conditions are determinant for the success of post-communist transformation, external assistance and especially that of the EU has been vital for post-communist transition in a number of European states and could be similarly vital for Ukraine.

This study investigates Ukraine’s post-communist transition in the context of its domestic developments and external influences, particularly EU-led Europeanisation. This thesis goes beyond an EU-centred perspective by incorporating elements of neoclassic realism into its theoretical framework. This study relies on mixed method analysis that incorporates quantitative data but relies mainly on qualitative research design in developing conceptual and theoretical instruments as well as interpreting and clarifying the results of the study.

The thesis demonstrates that the initial years of transition were crucial to the outcomes of Ukraine’s transformation in general and to the scale and comprehensiveness of implemented reforms in particular. Moreover, despite a number of Ukraine’s domestic problems such as corruption or nation-building

remaining unresolved to this day, Ukraine's seemingly long transition has become the result of contemporary decision-making rather than of inherent historically-determined conditions. The same goes for EU assistance. As one of Ukraine's biggest aid donors, the EU may become a solid supporter of Ukraine's transformations and it may further advance the implementation of its normative agenda. However, this will require two key conditions: first, Ukraine and, most importantly, its political elites need to come out with a strong commitment to introduce necessary reforms, and, second, the EU should prioritise its normative agenda over security and economic interests in Ukraine, especially in the context of its competition with Russia.

LIST OF ACRONYMS AND ABBREVIATIONS

AA — Association Agreement
ATO — anti-terrorist operation
CEPS — Centre for European Policy Studies
CIS — Commonwealth of Independent States
CPU(b) — Communist (Bolshevik) Party of Ukraine
CPSU — Communist Party of the Soviet Union
DIF — Ilko Kucheriv Democratic Initiatives Foundation
EaP — Eastern Partnership
EBRD — European Bank for Reconstruction and Development
EEAS — European External Action Service
ENP — European Neighbourhood Policy
ENPI — European Neighbourhood Policy Instrument
EU — European Union
EUI - The Economist Intelligence Unit
FDI — foreign direct investment
GRECO — Council of Europe's Group of States against Corruption
IFES — International Foundation for Electoral Systems
IFOs — International financial organisations
IMF — International Monetary Fund
IOM — International Organisation for Migration
KIIS — Kyiv International Institute of Sociology
NABU — National Anti-Corruption Bureau of Ukraine
NBU — National Bank of Ukraine
NGOs — non-governmental organisations
NIP — National Indicative Programme
OECD — Organisation for Economic Cooperation and Development
OSCE — Organisation for Security and Co-operation in Europe
OUN — Organisation of Ukrainian Nationalists
PCA — Partnership and Co-operation Agreement
PHARE — Poland Hungary Aid for the Reconstruction of the Economy
RCP(b) — Communist (Bolshevik) Party of Russia
RPR — Reanimation Package of Reforms

RSFSR, or Russian SFSR — the Russian Soviet Federative Socialist Republic
SRs — social-revolutionaries (members of the Social-Revolutionary Party)
SSCU — State Statistics Committee of Ukraine
SSRN — Social Science Research Network
TACIS — Technical Assistance to the Commonwealth of Independent States
Ukrainian SSR — Ukrainian Socialist Soviet Republic
UNA-UNSO — Ukrainian National Assembly-Ukrainian People's Self-Defence
(from Ukrainian, Ukrayinska Natsionalna Asambleya-Ukrayinska Narodna
Samooborona)
UOC-KP — the Ukrainian Orthodox Church of the Kyiv Patriarchate
UOC-MP — the Ukrainian Orthodox Church of the Moscow Patriarchate
UPA — Ukrainian Insurgent Army (from Ukrainian, Ukrayins'ka Povstans'ka
Armiya)
USA, U.S. — United States of America
USD — United States Dollar
USSR — Union of Soviet Socialist Republics
WB — World Bank
WC — Washington Consensus

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CHAPTER 1. INTRODUCTION

This study is devoted to research on Ukraine's post-communist transition in the context of counter-play between its domestic developments and external influences. The former is predominantly investigated by the theories of democratisation, including those applied to the post-communist context; the latter incorporates the application of theories of international relations with regard to democracy promotion and particularly EU democracy promotion. The crosscutting impact of selected theoretical approaches provides an in-depth examination of Ukraine's domestic developments that are affected by competing political strategies of external actors.

The first modern democracies evolved in the eighteenth century, and their evolution is often viewed as part of historical and domestically-driven processes. However, the global spread of democratisation occurred later, when the collapse of colonialism revealed a certain pattern of political and economic transformations in Southern Europe and Latin America. As the system of communist dominance entered its demise at the end of the 1980s, the 'end of history' (Fukuyama, 1989) seemed to be near: the ideological struggle between the capitalist West and socialist East was to concede to free market and democracy.

Nevertheless, the outcomes of global democratisation did not completely match expectations. A number of hybrid regimes, or 'formal' democracies emerged in Latin America, while democratisation in the Middle East stumbled even in the aftermath of 'democratic revolutions' (Diamond, 2011). Successful governmental interventions in the economies of Southeast Asia also questioned the bases of economic neoliberalism. Finally, the post-communist transition, once again, revealed the importance of the context in which democratic and market transformations took place.

Whereas transitions in Latin America and other parts of the world were based on evolving capitalist democracies, the post-communist transition involved a structural shift from a communist, single-party political system to democratic pluralism, and from an administratively planned economy to an economic system governed by the free market. In addition, the post-communist space was not contiguous by default (Fish, 2017: 11). The various patterns of transition in the region have shown that different transition modes became a product of interaction

between political, socio-economic and historical legacies, on the one hand, and newly constructed institutions, on the other. Hence the impact of communist legacies was considered a determinant for the subsequent post-communist transformations.

In search of the model that allowed transition from communism to a functioning sustainable democracy, consolidation of democratic institutions grew into a key concept, and external assistance became a crucial component of this. Transitions in post-communist Europe seem to have succeeded primarily in those states that joined the EU. In contrast, those post-communist countries that were exempted from EU membership exhibited barely any progress in democratisation until the early 2000s (partially excluding only one exemptional case of Mongolia — see the explanation in (Fish, 1998b)). Even after this, they ceded to new EU members in terms of democratisation and marketisation. Thus, a relationship between the progress in post-communist transition and EU membership may be observed (Table 1.1; Table 1.2).

Whereas some retreat from democracy has taken place in some former communist states after they became members of the EU, democratic recession is a worldwide trend during the last decade for various reasons (Aghekyan et al., 2018; Puddington, 2015). Therefore, not only it does not reflect solely on the EU's domestic problems, but it also should not be considered a one-way move. The revealed decline in the quality of democracy among the selected EU members (Poland, Hungary, Slovakia) has not shaken their status of *free* democracies in international rankings and may be interpreted as a temporary response to a number of crises faced by the EU (Eurozone, Brexit and migrant's crisis). The question remaining however is whether and how the EU may support and assist post-communist democratisation under given conditions.

Table 1.1 The progress in political liberalisation among selected post-communist states for the period 1992-2016

	V-Dem Liberal Democracy Index			Nations in Transit			Corruption Perception Index		
	2000	2008	2016	2000	2008	2016	2000	2008	2016
EU members									
East Central Europe	0.78	0.78	0.71	0.71	0.69	0.64	0.45	0.53	0.55
Baltic States	0.77	0.77	0.79	0.67	0.70	0.70	0.44	0.54	0.62
Southeastern Europe	0.55	0.60	0.62	0.45	0.52	0.51	0.34	0.39	0.46
Western Balkans	0.30	0.41	0.34	0.26	0.41	0.39	0.13	0.28	0.40
CIS states									
Eastern Europe and the Caucasus	0.23	0.26	0.27	0.29	0.24	0.21	0.24	0.27	0.37
Ukraine	0.27	0.45	0.23	0.34	0.39	0.33	0.15	0.25	0.29
Russia	0.25	0.16	0.13	0.35	0.15	0.07	0.21	0.21	0.29
Central Asia	0.09	0.09	0.12	0.16	0.08	0.06	0.27	0.19	0.25
Mongolia	0.55	0.57	0.53	n/a	n/a	n/a	n/a	0.3	0.38

Source(s): Varieties of Democracy (V-Dem) Project, Freedom House (Nations in Transit, reports for various years), Transparency International (reports for various years).

Note(s): Political liberalisation is based on the Liberal Democracy Index, (LIB DEM) which represents ‘to what extent the ideal of liberal democracy is achieved’ and ranges from 0 (no liberal democracy) to 1 (ideal liberal democracy) (Coppedge, Gerring, Knutsen, Lindberg, Skaaning, Teorell, Altman, Bernhard, Cornell, et al., 2018) p. 40. The Nations in Transit scores are calculated as average of their original scores (1 — most democratic, 7 — least democratic), reversed and represented as a ratio from the actual score to the maximum score, meaning that 1 is most democratic and 0 – least democratic. The Corruption Perception Index (CPI) is converted to a common denominator, where 0 is highly corrupt and 1 is very clean.

The states are grouped as follows:

- East Central Europe includes Poland, Hungary, Czech Republic, Slovakia and Slovenia.
- Baltic States are Estonia, Latvia and Lithuania.
- Southeastern Europe includes Bulgaria, Romania and Croatia.
- Western Balkans are Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina and Kosovo
- Eastern Europe refers to Moldova, Ukraine and Belarus
- The Caucasus includes Georgia, Armenia, and Azerbaijan
- Centra Asia includes Kazakhstand, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan

Table 1.2 The progress in economic liberalisation and development among selected post-communist states for the period 1992-2016

	EBRD Economic Transition			Real GDP (1989=100)		Cumulative FDI inflows			
	2000	2008	2014	2000	2008	mln. USD		per capita, USD	
						1989-2000	1989-2008	1989-2000	1989-2008
EU members									
East Central Europe	0.86	0.89	0.89	109	155	76,129	270,193	1,269	4,410
Baltic States	0.83	0.9	0.92	71	128	6,893	26,860	1,034	4,389
South-Eastern Europe	0.78	0.84	0.86	76	118	14,292	122,836	548	4,451
Western Balkans	0.56	0.74	0.75	64	103	2,362	30,790	147	2,109
CIS states									
Eastern Europe and the Caucasus	0.64	0.72	0.71	52	113	10,042	63,032	173	866
Ukraine	0.67	0.76	0.76	42	70	3,336	40,753	68	889
Russia	0.69	0.73	0.76	63	108	9,998	43,108	69	304
Central Asia	0.59	0.61	0.62	71	139	10,787	59,408	178	883
Mongolia	0.69	0.78	0.8	n/a	167	n/a	2,030	n/a	761

Source(s): European Bank for Reconstruction and Development (EBRD, Transition Reports for various years)

Note(s): Economic scores (EC TR) are calculated as ratios of average scores of Economic Transition to their maximum meaning (EBRD original indices are ranked from 1 to 4.33, where 1 refers to a centrally planned and 4.33 to an advanced (free) market economy). Accordingly, 1 represents free market and 0 not free market. For the groups of states, indices represent average meanings with the exception of cumulative FDI inflows, which represent sums. The states are grouped as in Table 1.1.

Indeed, it appears that at the beginning of transition post-communist states in East Central Europe and (to a slightly less extent) the Baltic States had more favourable conditions for subsequent transformations than the others. The communist rule in East Central Europe was weaker than in Soviet Republics, allowing the formation of relatively strong and reform-oriented opposition. The shared commitment by broad public and elites led to their active engagement in the breakdown of the communist rule in these states (Ekiert, 1996; Ekiert & Kubik, 1998). As a result, the countries of East Central Europe and the Baltics (where very strong anti-Russianism was a driving factor of pro-reform and pro-Western stances) took a course for rapprochement with the EU straight after the collapse of

communist dominance and secured external (EU) assistance with regard to implementation of necessary political and economic reforms (Petrovic, 2013: 7).

By taking a course for the European integration, local elites in these states *locked in* the *momentum* and path for post-communist transformation through Europeanisation. On the one hand, accession resulted in the integration of former communist states into European political institutions and market while, on the other hand, EU membership 'covered' social costs of their transition (Crampton, 2002: 420) and *patched the holes* caused by enormous economic recession at the beginning of transition (Fish, 2017; Petrovic, 2017).

In contrast, the immerse of the remaining post-communist states into the form of protracted post-communism (Bunce, 1995a) or illiberal democracy (Levitsky & Way, 2010; Petrovic, 2013) allowed suggesting that successful post-communist transition was impossible without membership in the EU or at least without significant external assistance on the EU's part. Not only non-reformist elites retained their power in the remaining post-communist states, but also the absence of contacts with the EU isolated these countries from the influence of liberal institutions. Moreover, while all post-communist states relied on external assistance (including in such basic aspects as food and medication in the first years of transition), this assistance was more substantial and was more effectively allocated in post-communist states which were included in the process of EU accession than in those which were excluded from this process (Petrovic, 2017).

As a result, EU membership began to be seen as the main 'leverage' of the EU's 'transformation power' (Grabbe, 2006; Vachudova, 2005), reflected in the consolidation of societies in transition towards post-communist reforms as well as *locking in* the *momentum* of transition through their inclusion into European political and market institutions. The 'active leverage' of the EU's membership became determinant for the consolidation of democratic institutions among transition states and served a preventive mechanism from possible dropbacks towards authoritarianism.

On this background and given recent anti-democratic developments among selected EU member-states, the quest of sustainability of democratic institutions has been closely linked to the processes of European integration and social factors of democratisation. The same pertained for studies of the EU's impact on third states,

which in the absence of membership incentive, was rather limited (Börzel & Schimmelfennig, 2017; Schimmelfennig, 2012; Vachudova, 2005; Youngs, 2004).

Indirect Europeanisation is seen as an alternative for EU democracy promotion and consolidation. In the modern political science literature, Europeanisation reflects on the incorporation of EU rules and norms into the political, legal and social structures of the states which wish to be Europeanised (Flockhart, 2010; Radealli, 2003). In the context of post-communist transition, not only the EU could have offered a legal template for respective institutional changes, but it also provided mechanisms for consolidation of these institutions through socialisation (intensity of personal and inter-governmental contacts) and persuasion (communication of EU norms). Yet whether these mechanisms could sufficiently advance to democratisation in non-member states remained an open question, because the progress of democratisation in post-communist states remained rather slow even after the EU's increased engagement (Table 1.1).

Furthermore, whereas some links between external and domestic factors of democratisation can be drawn, there was no integration theory on international aspects of democratisation and their precise relationship with domestic institutions and structures (Magen, 2009). So why and how Ukraine's post-communist transition may be considered an insightful case study under given circumstances?

First, Ukraine represents a *Pandora's box* with regard to predication or modelling of its democratising efforts. On the one hand, Ukraine has been relatively successful in its transition progress in comparison with other post-Soviet states (Table 1.1; Table 1.2). The country has revealed strong public demand for reforms by hosting two democratic revolutions that were viewed as a chance for Ukraine's democratic consolidation. Yet none of these efforts resulted in significant progress on consolidation of democratic institutions, while Ukraine's progress in transition has corresponded more so with its economic rather than political liberalisation.

Second, Ukraine's domestic developments are strongly interrelated with external influences due to the counter-play between Ukraine's identity (unaccomplished nation-building) and structural, and geopolitical constraints of post-communist transition. Ukraine's position between East and West portrays it as a historically Eastern state with modern aspirations of closer association with Western countries and organisations, particularly the EU. As both Russia and the EU have promoted different foreign policy strategies in Ukraine, these efforts may

have a rather counter-playing impact on Ukraine's domestic institutions, either undermining or assisting Ukraine's transition.

Ukraine is also in the process of its state- and nation-building whereas its nation-building is inevitably linked to the course of foreign policy which corresponds with identity narratives in the country (Prizel, 1998). As a result, EU or Russian efforts are determinant for Ukraine's self-perception, which makes external factors of Ukraine's post-communist transition even more important for the levels deeper than political or economic transition. On this background, intangible factors of Ukraine's Europeanisation may serve as additional tools for Ukraine's post-communist transformations.

Finally, although the EU's interest in Ukraine has been generally growing, which was reflected through the launch of the European Neighbourhood Policy (ENP) and (later) the Eastern Partnership (EaP), as well as growing political and financial support after the Maidan revolution, both Ukraine and the EU have faced a number of domestic limitations with regard to EU assistance to Ukraine.

For example, a narrative of *joining the EU* has been actively promoted by Ukraine's political elites in pushing towards closer cooperation with the EU and political mobilisation. Even the Maidan revolution began as Euromaidan in favour of association with the EU and was seen as an opportunity to accomplish Ukraine's democratic consolidation through the course on European integration. Post-Maidan Ukraine even seemed to have excluded Russia from its policy-making agenda for the sake of that course. Regardless, Ukraine's progress in democratic consolidation has been more modest than anticipated.

Similarly, the EU is facing a number of limitations in assisting Ukraine: such problems as enlargement fatigue and a series of crises mentioned before have excluded the membership incentive from the EU-Ukraine agenda. As a result, Ukraine will 'definitely not be able to become a member of the EU in the next twenty to twenty-five years' (Juncker (2016) in UNIAN (2016)).

All the aforementioned issues make Ukraine a unique case for studying domestic and external factors of transition. Moreover, Ukraine also reflects on a number of problems raised and/or omitted by existing literature. Among such problems or gaps are the following:

- Limited understanding of transition as a process of economic reforms and democratisation exclusively, which fails to take full account of post-communist transition as a complex systematic process with a strong social component.
- An absence of integrative theory of the role of external and domestic factors of democratisation leads to an absence of integrative explanation of post-communist transition as a whole.
- A lack of critical approach towards the mechanism and outcomes of ‘democratic revolutions’ in Ukraine and some other post-Soviet states as part of the democratisation process.
- There is an almost unanimous view that the EU is a democracy promoter *par excellence* with a lack of critical evaluation of respective EU policies, especially in the context of geopolitical competition with Russia in the EU neighbourhood.
- Finally, the EU-centred approach lacks the element of ‘receptiveness to the Union’s ideals’ (Haukkala, 2008b: 37), which requires a more context-oriented research with regard to Europeanising states.

1.1. Research statement and aims

This thesis concentrates on investigating the key challenges of Ukraine’s post-communist transition in the context of membership-exempted Europeanisation. The following **objectives** have been aligned with this research:

1. To determine domestic challenges and opportunities of Ukraine’s post-communist transition;
2. To evaluate the degree of the EU’s impact on Ukraine’s post-communist transformations (the limits of Europeanisation);
3. To create a roadmap for Ukraine’s successful transition on the basis of the above-listed factors.

The respective objectives correlate with the following **research questions**:

1. What are the key factors that have impacted and determined the process of Ukraine’s post-communist transition? How do these factors interact in Ukraine’s context and what patterns and outcomes do they create?
2. How has the EU supported / deterred Ukraine’s post-communist transition with its actions and policies?

3. How can Ukraine-EU cooperation be further enhanced to positively contribute to the successful post-communist transformation of the country? Which kind of cooperation is determinant for this success and how can the role of the EU, Ukraine or other actors be respectfully moderated?

1.2. Methodology

In order to answer the abovementioned questions, this thesis applies a mixed method analysis incorporating qualitative and quantitative data (Johnson & Onwuegbuzie, 2004; Tashakkori & Teddlie, 2010) where qualitative (interviews) and quantitative (trade statistics, indices) data collection complement qualitative data analysis within the conceptual framework of this research.

In order to determine the core factors of Ukraine's post-communist transition, both primary (reports, press-releases, publications on the results of observations, results of public opinion polls and elections, laws and legislative documents, statistical data) and secondary (academic journals, magazine and newspaper articles, books, thesis dissertations) sources of literature have been analysed.

One of the methodological problems that this research deals with is that there are no clear indicators that allow to track institutional changes, which are fundamental to this research. Moreover, existing indicators that provide a basis for possible statistical analysis are also imperfect. Many of provided indicators themselves represent experts' evaluations (Freedom House indices of Nations in transit), while weighted indices may overlook some peculiar developments in favour of comparative generalisation (Treisman, 2012). These indices may similarly be limited in terms of categories used (Polity IV) or provide little insight on institutional change (Nations in Transit provide a brief overview of changes in regime characteristics rather than more durable institutional changes) or social outcomes (World Bank Governance Indicators) (Kaufmann, Kraay, & Mastruzzi, 2010). Finally, many of existing data sets measure perceptions only (Corruption Perceptions Index, Worldwide Governance Indicators). Furthermore, data often differs, relating to different periods of time and data is not necessarily available on an annual basis.

As a result, the choice of research methods is based on researcher's personal experiences, experiments, logical thinking or observations, stemming from a pragmatic approach (Johnson & Onwuegbuzie, 2004). For example, studying institutions and nation-building is possible only upon a rigorous in-depth research. Similarly, distinguishing the effects of Europeanisation from domestic or other externally-driven modernisation changes is impossible without a hand from the researcher. Considering existing gaps in literature and available data sets, interviews have complemented this research with additional data. Semi-structured interviews were chosen in order to achieve a balance between 'open-ended and more guided responses' (Fischer-Smith, 2015: 18).

Some of the data used for this thesis has been incorporated from the project C3EU (50 interviews and media analysis) run by the National Centre for Research on Europe at the University of Canterbury.¹ Semi-structured interviews with Ukrainian newsmakers, cultural and business elites, representatives of civil society and decision-makers were held during December 2016-February 2017 in three regions of Ukraine (East, Centre and capital city Kyiv). During the same period, interviews with EU stakeholders were held in Brussels (13 interviews). In-text quotations of interviews held Ukraine are labelled 'c3Ukr', while in-text quotations of interviews with EU officials are labelled 'c3EU'.

Data collected specifically for this research includes semi-structured interviews with representatives of Ukraine's civil society during January-March 2016 (14 interviews) mainly from Kyiv but not limited to it. Experts from respective organisations were involved in analysing EU policies in Ukraine or highlighted cooperation between the two parties. These are Ukrainian think tanks, analytical centres and research institutions that cover a range of aspects such as legislation, migration, political convergence and media coverage (for example, Internews Ukraine)² in the context of Ukraine-EU cooperation. A snowball technique was

¹ Crisis, conflict and critical diplomacy: EU perceptions in Ukraine and Israel/Palestine (C3EU) — the project is supported by the Jean Monnet Lifelong Learning Programme, Directorate General for Education and Culture of the European Commission. The project is led by the National Centre for Research on Europe (NCRE), University of Canterbury, New Zealand. More information on the project may be found at <http://www.euperceptions.canterbury.ac.nz/projects/c3eu/>

² Internews Ukraine is one of the leading media NGOs, working in Ukrainian media and communication market since 1996. Mission of organisation is the promotion of European values in Ukraine through development of successful media. The organisation empowers independent and pluralistic media in Ukraine; improves journalism standards and local media legislation; assists the

applied with regard to the choice of organisations, wherein the first points of contact were think tanks and analytical centres listed in the Global Go To Ranking and the Ukrainian Think Tanks Liaison Office in Brussels.

The questionnaire for interviews was divided into two main sections wherein the first section was devoted to questions on Ukraine's post-communist transition and the second section elaborated on the role of the EU in Ukraine's domestic transformation. The questionnaire and the information sheet are attached in Appendices A and B respectively. All the above-listed documents as well as permission from the Ethics Committee of the University of Canterbury were sent to interviewees as part of the approaching process prior to interviews. Written consent was considered during the preparation, but oral consent was prioritised because requesting a signature could have produced negative associations among respondents in Ukraine (Fischer-Smith, 2015: 20). The protection of identity of interviewed experts was paramount for this research.

As a result, interviews have provided this investigation with information that allowed testing some of the key relationships in the framework of this research. In-text quotations of respective interviews are introduced under 'interview' label in the body of this thesis (e.g. interview1, interview2 etc.).

Finally, a number of think tanks in Ukraine provide insightful and reliable surveys and public opinion polls (Razumkov Centre, Ilko Kucheriv Democratic Initiative Fund, the Kyiv International Institute of Sociology) which have also advanced to this research and exempted the researcher from the need to conduct a separate survey research.

1.3. Importance of the research and Contribution to the body of knowledge

This thesis provides theoretical and empirical findings that are of interest for scholars, decision-makers and all those who want to get a rigorous insight in Ukraine's on-going transformations.

From a theoretical perspective, it provides an in-depth review of existing concepts of post-communist transition. By contrasting limitations of their respective explanations, it concludes that a number of theoretical schools have agreed on a set of criteria and processes which should be incorporated in the framework used in the thesis. While this thesis looks at post-communist transition through institutional perspective, it also adopts transitologist argument of transition through two stages of democratisation (regime change and consolidation of democratic institutions). Moreover, the role of agency cannot be undermined especially during the turning points, whereas historical legacies (institutionalist argument) and socio-economic development impact the consolidation of democratic institutions in the medium to longer run.

The thesis also systematises studies on post-communist transition and theories on international relations and democratisation (particularly, developments that highlight the process of Europeanisation, EU foreign policy and normative power relationships) in order to establish a link between foregoing processes and their concepts.

Thus, the theoretical framework of this research is expanded from political-economic reading of transition to deeper societal processes and perceptions as source of legitimacy for external actors. Whereas many studies concentrate on the analysis of individual aspects of transition (democratisation, or marketisation, or state- or nation building) neglecting the systematic character of transition changes, this study provides an evidence on how the determinants of post-communist transition interact.

Empirically, this thesis tracks the dynamics of Ukraine's formation and the cyclic character of its post-communist transformations. It highlights the causes and outcomes of Ukraine's two democratic revolutions, demonstrating how the logic of Ukraine's domestic policies interacts with the logic of external agents.

Similarly, the thesis provides a critical evaluation of democracy-promotion efforts of external actors such as the EU in its counter-play with different strategies applied by Russia. Whereas EU assistance is generally viewed as advancing to post-communist transformations, this research demonstrates a counter-play between EU normativity and interests that derive from the geopolitical aspect of its relations with Russia and Ukraine. Furthermore, the thesis concentrates on the *perceptive* part of Europeanisation, which has been largely neglected in EU studies.

This thesis accordingly draws a realistic framework for cooperation between Ukraine and the EU, which may advance to a successful Ukraine's post-communist transformation later on. This approach does not necessarily insist on EU membership as the driving force behind successful post-communist transition. Instead, the thesis goes beyond this limitation and proposes a roadmap for Ukraine's transition which would be based on limited EU assistance and might be of use to both scholars and decision-makers.

1.4. Limitations and key assumptions (hypotheses)

Given the broad scope of issues highlighted in this thesis, there is a risk of it being too broad in scope. In order to avoid this, the following limitations have been applied to this work.

The thesis concentrates solely on the case of Ukraine, and some comparisons stemming from this research (for example, with other post-Soviet states or *new* EU members) are made in order to better clarify and/or strengthen the core argument and the presented findings.

Similarly, this thesis prioritises the analysis of EU policies and their impact on Ukraine's democratisation over the impact of other actors (Russia, the United States, international financial organisations), whose influence serves only as a corrective factor. The interests of third parties are considered only to the extent they may impact Ukraine's transition. Therefore, comprehensive or comparative research of EU domestic policy-making is not provided.

Finally, one of the main challenges and limitations of conducting this research refers to Ukraine's on-going crisis. Not only does the unstable military situation make data collection impossible in some parts of Ukraine, the war also radicalises opinions on the situation in Ukraine both within and outside the country. This inevitably complicates the search for a *golden mean* aligned with a more pragmatic and rational approach. Moreover, political, economic and socio-cultural consequences of the on-going crisis represent additional challenges to the search of a proper model for Ukraine's accomplished transformations.

Some of the assumptions (and hypotheses) that may lead towards the construction of such a roadmap within existing theoretical explanations may be grouped as follows:

1. Domestic factors of post-communist transition are more decisive than external ones;
2. The impact of the structural factors on post-communist transition has been less important than the political decisions which are not necessarily moulded by structural constraints.
3. EU effects concentrate mainly on the institutional and interactional levels of post-communist transition.
4. EU presence in Ukraine remains rather superficial, which requires a more context-based approach, including the need for a better understanding of Ukraine and its needs.

1.5. Structure of the thesis

The structure of this thesis reflects the research objectives and questions that have been defined in the preceding sections.

Chapter 1 introduces the reader to the significant prior research in this area and justifies the choice of Ukraine as a case study. The chapter provides an insight into the methodology involved, the limitations and importance of the research as well as presenting the key hypotheses and assumptions of the thesis.

Chapter 2 offers a rigorous review of theories and concepts within three key themes. The first theme covers the literature on theories of democratisation and post-communist transitions beginning with modernisation and transitology theories and proceeding with economic and specifically post-communist transition theories. The second theme elaborates on studies that explain the role of international agents and structures in democratisation and domestic institutional changes. These cover international relations theories and their evolution among EU studies towards such areas of study as Europeanisation and the EU's normative power. Finally, the third theme combines these approaches in one conceptual framework that explains relationships between the domestic and external factors of post-communist transition in general and in Ukraine's context specifically.

Chapter 3 provides an insight into Ukraine's historical background aligned with Ukraine's historical legacies, the establishment of communism and, finally, the character of communist rule in the country. This chapter distinguishes legacies and

patterns of socio-political systems, which were inherent to Ukraine throughout its history or were produced specifically by a communist regime.

Chapter 4 examines the dynamics of Ukraine's post-communism with specific attention to state-building (institutionalisation of democratic and market relations) reflecting on the cyclic nature of Ukraine's hybrid political regime and produced state capture phenomenon. The chapter portrays Ukraine's democratic revolutions as part of this hybrid regime rather than the opposite and provides a discussion of vital issues in Ukraine's nation-building stressing that success in democratic nation-building may lead to Ukraine's democratic consolidation.

Chapter 5 demonstrates how Ukraine's domestic developments interface with the interests and policies of third actors. This chapter demonstrates the *environmental* presence of competing parties (namely the West and Russia) as a key limitation for Ukraine's democratisation and identifies the areas in which third actors have the greatest impact. Chapter 5 also provides a critical analysis of EU democracy promotion efforts in Ukraine, explaining why some of these efforts failed and how the situation may be changed to favour Ukraine's successful transition.

Finally, Chapter 6 presents a discussion on how empirical evidence supports theoretical explanation and/or provides additional challenges to theory and policy provisions. This chapter provides a conclusion which may be used as a roadmap for Ukraine's successful post-communist transformations and explores whether this roadmap may be extended in future to other cases.

CHAPTER 2. THEORETICAL FRAMEWORK AND PRIOR RESEARCH

This chapter provides a critical review of the literature devoted to post-communist transition. The first part of the chapter deals with theories of modernisation and transitology as well as institutional and comparative approaches towards post-communist transition. The second part of the review investigates the mechanisms and effects of the activities of international actors on post-communist transformation, including theoretical developments in the area of international relations and Europeanisation. The final part of the chapter defines a framework for Ukraine's post-communist-transition.

2.1. Theorising post-communist democratic and economic transition

Although the concept of post-communist transition emerged after the collapse of communist dominance in East Central and Eastern Europe, democracy was slowly spreading worldwide prior to that, in stages categorised as the three 'waves of democratisation' (Huntington, 1993b).

1. The first wave began the slow democratisation of Great Britain in the seventeenth-eighteenth centuries (with gradual introduction of elections) and peaked at the proclamation of independence by the United States of America. Twenty-nine countries democratised during the first wave, but their number reduced to twelve due to the rise of fascism in the interwar period.

2. The second wave of democratisation followed World War II and lasted until 1962 (this was characterised by the collapse of the colonial system). About thirty-six countries democratised, but only thirty remained democracies at the end of the researched period.

3. Finally, the third wave of democratisation spread in almost all regions of the world: it began in Southern Europe in 1974, reaching Latin America in the 1980s, Southeast Asia in 1986-1988, and former communist states at the end of the 1980s. Twenty-three out of thirty-nine states of the third wave have had at least one democratic experience before, while others were never democracies but always autocracies (Huntington, 1993b: 44).

A number of approaches have evolved in order to explain the state of democratic transition during the respective waves.

2.1.1. Modernisation, the civilisational approach and the transitology paradigm of democratic transition

The first wave of democratisation coincided with the boost of industrialisation and urbanisation. It was associated with long-term patterns of development — the building blocks of a structural, or modernist, approach that did not treat post-communism as a specific case of modernity and studied general patterns of social evolution and democratic development.

One of the first modernist approaches is Marxism, which claims that the ruling class (bourgeoisie) maintain their power by means of alienation of the ‘means of production’ from the oppressed class of workers (proletariat). Meanwhile, deepening economic and political inequality prompt an anti-capitalist revolution leading to the establishment of a new social order with fully eliminated inequality — communism (Marx & Engels, 1948).

Yet in general, modernisation more often concentrates on long-term patterns of democratic development (Lipset, 1959: 72). Thus, Weber (1946: 226) has pointed that new forms of social organisation (bureaucracy) are the key feature of evolving democracies, while some societies (those that profess certain types of Protestantism) have been more successful in rationalising modern values than others. Against this background, modernisation scholars have distinguished two groups of mediums that favour democratisation in the long run: socio-economic and socio-cultural factors (Lipset, 1959: 72).

In the first group are industrialisation and urbanisation that advance to economic prosperity and a corresponding rise in educational standards, mobility, as well as social equality. By promoting the rise of the middle class and related increase in political participation, modernisation secures political change and legitimacy of a democratic regime (Lipset, 1959).

In the second group are supporters of the civilisational approach, who, although sharing the idea that socio-economic development supports democratisation, claim that a specific cultural background (Western culture and norms) is a determinant for democratisation (Huntington, 1993b). This approach

considers civilisational differences as a source of conflict between democratic Western and 'backward' non-Western (Orthodox Christian and Islamic) societies (Huntington, 1993a), viewing social traditions in Eastern Europe as the key prerequisite for the adoption of the communism ideology (Janos, 1993: 8).

While the socio-economic approach does not explain why technologically advanced Nazi and communist regimes turned totalitarian, the civilisational approach fails to explain how several non-Western civilisations and even non-European states successfully democratised after World War II (Japan, India and Turkey). In post-communist space, Mongolia represents another challenge for the theory as the only country that not only has successfully democratised after the collapse of communist rule but also did so without resource to EU assistance (Fish, 1998b). For similar reasons, the structural factor of geographic proximity fails to explain the success of non-European states in democratisation. Rather closeness to the West supports democratic transition within a broader set of factors (Fish, 2017), including by means of diffusion of information and communication flows (Kopstein & Reilly, 2000).

In the background of the third wave of democratisation, also viewed as a product of international democratic diffusion (Huntington, 1993b; Schmitter & Karl, 1994), a **transitologist approach** (O'Donnell, Schmitter, & Whitehead, 1986) appeared as an alternative to modernisation.

Unlike scholars of modernisation who study social prerequisites of democracy, transitologists concentrate on regime change and factors sustaining democratic regime. By implication, the breakdown of authoritarian rule allows the establishment of a democratic regime (O'Donnell & Schmitter, 2013). At this stage, the skills and choices of political elites are crucial for democratic transition (Diamond, Linz, Lipset, & Samudavanija, 1989: 14). In turn, democratic consolidation reflects a more substantial engagement of citizens in the political process through elections and 'fair access to public agencies and courts' (O'Donnell, 1996: 45-6). While 'vertical accountability' implies accountability between political elites and the public, 'horizontal accountability' represents a balance among public institutions (O'Donnell, 1998). Finally, economic development advances to democracy either by strengthening the legitimacy and stability of democratic regimes or by nourishing the regime change in favour of democracy.

In this regard, both modernisation and transitology theorists have found a consensus: while transitologists share the modernist belief that increasing the quality of life positively affects factors corresponding with democratisation (such as civil society) (Diamond, 1992), scholars of modernisation share the transitologist argument that democratic sustainability requires ‘fair’ and ‘effective’ institutions that satisfy the needs of all political actors (Przeworski, 1991: 26, 32-3).

Notwithstanding the consensus, transition states — Ukraine among them as will be demonstrated in Chapter 4 — often fail to move from regime change towards sustainable democracy being locked in a hybrid regime of ‘unconsolidated democracy’ or rather ‘unconsolidated authoritarianism’ (Way, 2005a: 234). Therefore, a somewhat ‘mechanistic’ portrayal of transition whereby the use of specific leverages produces predictable outcomes (Bideleux & Jeffries, 2007: 543-4) does not work in practice, prompting re-conceptualisation of transitology in favour of the institutional approach.³

2.1.2. The institutional approach towards post-communist democratisation

Whereas transitologists investigate ‘the conditions and modes of transition’, institutionalists study ‘causes, conditions and models of the consolidation of young democracies’ (Croissant & Merkel, 2004: 1). They view institutionalisation, or embodiment of rules and practices, as ‘a state-dependent process’ (Powell & DiMaggio, 2012: 12) rooted in relationships between institutions, environment, and agents. Thereby, democratic transition is comprised of a network of relationships between changeable conditions, actors and their institutionalisation (Elster, Offe, & Preuss, 1998: 1-2), whereby successful transition is associated with the creation of an institutionalised (consolidated) democratic order. In this vein, post-communist transition may be defined as ‘triple transition’ in terms of building the institutions of the nation-state, democratic political system and market economy (Offe, 1991).

Meanwhile, various institutionalist approaches explain the creation of an institutionalised democratic order in different ways. While ‘old institutionalism’ studies the evolution of formal institutions, ‘new institutionalism’ concentrates on a

³ for more information, please see the debate between Bunce (1995b) and Karl & Schmitter (1991)

counter-play between various institutions (Abrutyn & Turner, 2011: 300). The latter makes neo-institutional explanations of a particular interest for those studying various contexts of democratic transitions.

One of the neo-institutional branches, **rational institutionalism**, is set upon a framework of behavioural theories implying that the decisions by political and economic actors are driven 'not by impersonal historical forces, but by a strategic calculus' of other actors' behaviour (Hall & Taylor, 1996: 944-5). Therefore, institutions represent arrangements that the majority of actors agree upon so far as the agreed framework benefits them more than any other.

Unlike rational institutionalism, the **sociological approach** attempts to explain existing social structures by 'transmission of cultural practices' into normative regulations. Through this, respective scholars gain understanding of how organisational practices result in the same structures in culturally different nations and states, combining institutional (organisational) and cultural explanations in one (Hall & Taylor, 1996: 947).

Further, the **constructivist** approach has evolved as part of the sociological one through the analysis of the endogenous construction of institutions (Schmidt, 2010). By implication, institutions provide norms of behaviour, which individuals associate themselves with, and in such a manner shape the preferences and identities of these individuals (Powell & DiMaggio, 2012: 9-10).

Aside the afore-listed approaches, **historical institutionalism** views institutions as 'formal or informal procedures, routines, norms and conventions embedded in the organisational structure of polity or political economy' (Hall & Taylor, 1996: 937-8). This approach deals with 'big, substantive questions' and theorises 'about historical dimensions of causation' (Pierson & Skocpol, 2002: 3, 6). It also elaborates on the importance of agency in historical sequence and views institutions as 'consistent and stable constraints on behaviour' (Lewis & Steinmo, 2012: 323). Such argumentation portrays historical institutionalism as a 'third way' between the sociological and rational approaches (Ikenberry, 1994).

Historical institutionalism views post-communist transition as a complex and unique phenomenon; it often points to a combination of factors necessary for successful post-communist transition and involves studying the historical and communist legacies, context and dynamics of post-communist transition. For

example, Bunce (2005) highlights strong nationalistic views as crucial factors for the formation of powerful anti-communist opposition and subsequent political transformations. In turn, the mode of imperial rule is also considered crucial for the pace of nation-building in Eastern Europe (Bunce, 1995a). Meanwhile, other institutional scholars claim that national unity and mass mobilisation are more likely to succeed in combination with other preconditions of democratisation, such as stability of borders and composition of citizens (Rustow, 1970: 350-1), economic 'greed' of political elites, and international recognition (Roeder, 2007: 9).

Therefore, institutionalists also reflect on the transitologist argument that 'agreements about stateness' precede 'agreements about democracy' (Linz & Stepan, 1992: 123-4), whereas state-building is viewed as an institutional process that is more likely to be accomplished through decolonisation and secession of self-governing territories, or segment-states from existing empires (Roeder, 2007: 9).

The legacy of the past represents a point of reference for the beginning of transition, because old actors and institutions try to adapt themselves to a new environment. Apart from 'temporal and spatial context', 'structural', 'institutional' and 'interactional' levels of analysis of post-communist transition reveal a causal relationship between communist legacies and transition outcomes (Ekiert & Hanson, 2003: 17-9). By implication, communist institutional arrangements have endured as legacies, and, following the collapse of communism, have partially endured in the newly constructed democratic institutions (Ekiert, 2003).

Some scholars consider long-term factors of post-communist transition to be more determinant in this respect. For example, the theory of structuration claims that social systems comprise of human actions, but these actions are guided by certain rules (social practices) reproduced by individuals through reproduction of knowledge and context (Giddens, 1984: 25). Similarly, Kitschelt (2003) refers to collective memories while explaining how pre-communist legacies have shaped diverse communist regimes and how their strength, determined by the duration of communist rule, has reflected in diverse modes of post-communist transition (Kitschelt, Zdenka, Radoslaw, & Gabor 1999). Yet his emphasis on pre-communist legacies also downplays the role of agency, while the only *window* of change left by the structuration theory reflects on the limited character of knowledge and resources by individuals (Giddens, 1984: 17, 22-4) as well as individuals' exposure to alternative cultural schemas (Sewell, 1992: 27).

In contrast, a number of other scholars, albeit emphasising the importance of communist legacies for post-communist transition, concentrate on agent-driven explanations of transition. By implication, the results of the first post-communist elections reveal the extent to which ‘inhibiting’ communist legacies (Ekiert, 2003) have affected the mode of transition (Petrovic, 2013) and have partially reproduced in newly created democratic institutions (Bunce, 1995a). Meanwhile, the distribution of power between old political elites and new opposition on the eve of regime change is also viewed as a factor that has shaped the mode of regime change and, hence, the success of post-communist democratisation (Gill, 2017; McFaul, 2005).

Whereas this idea overlaps with the transitologist argument that the character of elites determines the mode of democratic transition (O'Donnell & Schmitter, 2013; Karl & Schmitter, 1991), McFaul's (2002) claim that non-cooperative transitions advance rapid and comprehensive democratisation contradicts the transitologist argument that stable democratic development requires pacted and non-violent regime changes.

In consideration of the determinant role of structure or agency in transition as well as the debate on pacted and non-cooperative transitions, **path-dependence** appears as a potential compromise. It implies that in a moment of crisis or cleavage structural constraints weaken to the extent they cannot constrain decision-makers anymore (Mahoney, 2001), and the respective decision of policy-makers reproduces itself, sets up an institutional path and makes the adopted institutional change irreversible.

Path-dependence has allowed combining communist legacies and agency in post-communist studies (Ekiert, 2003), since the first post-communist elections are often viewed as a critical juncture: they have determined the character of political elites that came to power and, therefore, the mode of transition (Fish, 1998a). Path-dependence also reveals how a new political order becomes a product of combining both ‘new and old’ norms (Eyal, Szélenyi, & Townsley, 1998: 14-5) and, finally, it may be equally used to research on revolutions and democratic revolutions, with regard to which Ukraine represents the key case of this research.

2.1.2.1. The institutional approach and its relevance to Ukraine's post-communist transition

Each of the above discussed explanations can be used in explaining some of the various aspects of Ukraine's transition, which is sometimes viewed as quadruple rather than triple, because it involves painful state and nation-building along with political and economic reforms (Kuzio, 2001b). The former derives from imperial legacies as pointed by Bunce (1995a), portraying Ukraine's post-communist transition as post-colonial rather than post-authoritarian (Kuzio, 2002a), especially in light of Ukraine's 'tensions with post-imperial Russia' (Motyl, 1997a: 433, 438-9). Such argumentation appears to favour the structural explanations of Ukraine's post-communist transition, but a number of Ukraine's post-communist developments point to the opposite.

Although Ukraine's weak nationalism has prevented it from becoming a strong state after the downfall of communism (Roeder, 2007: 9-28), Ukraine has also featured in strong mobilisation, reflected not only in the 'tides' of nationalist mobilisation during the dissolution of the Soviet Union (Beissinger, 2002), but also in a number of democratic revolutions in post-communist Ukraine. Whereas some scholars consider 'colour revolutions' which occurred in Ukraine and some other post-Soviet states in mid 2000s as part of further international democratic diffusion (Bunce & Wolchik, 2006) and a third wave of democratisation (Bunce, McFaul, & Stoner-Weiss, 2009; McFaul, 2010), others explain them through a balance between structural and institutional variables of post-communist transition (Beissinger, 2007).

This thesis concerns the latter. Whereas Ukraine's democratic revolutions (of 2003-2004 and 2013-2014) may be viewed as a source of democratic consolidation (Kubicek, 2007; McFaul, 2007; Pifer, 2007; Wilson, 2006), they also reveal a number of unresolved transition problems: endogenous division (Katchanovski, 2014), geopolitical tensions (N. R. Smith, 2015) and, most importantly, communist legacies — with most of them reflecting the institutional factors of Ukraine's post-communist transition. Therefore, the institutional approach may be more suitable than other approaches in explaining the patterns and outcomes of Ukraine's post-communist transition.

For example, the path-dependence approach allows operating not only with *big* issues such as consolidation of the Ukrainian nation-state⁴ but also with *smaller* critical junctures such as democratic revolutions. As such, the institutionalist approach portrays the first post-communist elections as the key marker of Ukraine's post-communist institutional change whereby, as will be demonstrated in Chapter 4, the takeover of the former nomenklatura in 1991 was caused by the absence of revolutionary elites (Motyl, 1997a). Presumably, the dominance of non-reformers in Ukraine's politics determined the mode of Ukraine's post-communist transformation and, in such manner, affected the outcomes of the transition. In addition, the institutionalist approach views the dominance of the former nomenklatura as one of multiple communist legacies (among them are the strong role of informal relationships and patrimonial political culture). As will be discussed in Chapter 4, these factors hindered consolidation of democratic institutions in Ukraine and are useful in explaining how an overlap between communist legacies and newly established institutions of democracy and market economy occurred in Ukraine instead of its rapid and comprehensive transition.

2.1.3. Theorising economic transition

Whereas socialist economy was shaped by the Marxist ideology, the pace of economic transformation in post-communist states was determined by political elites, who used respective schools of economic thought to justify their reform choice. In the beginning of transition, classical economic school could not provide a template for transformation. Moreover, it largely treated centrally planned economy as a 'temporary deviation from the generally accepted capitalist norm' (Papava, 2005: 78).

The classical economic school relied on the concept of the *invisible hand* introduced by Smith, in which the market naturally establishes the rules for economic actors. When the Great Depression broke out, a state-oriented approach was offered by Keynes, who insisted on the necessity of governmental intervention

⁴ in Chapter 3 these will be reflected in several critical junctures: the Christianisation of Rus' in the tenth century, the establishment of an independent Cossack state in 1648, the establishment of the Ukrainian People's Republic and its yielding to Soviet Ukraine in 1918, and the establishment of independent Ukraine after the collapse of communism in 1991.

in crises. By the time the need for economic transition from socialism was revealed, the leading theoretical approach in the economic field was neo-liberalism.

With regard to post-communist marketisation, neoliberal ideas were structured in the package of reforms known as the Washington Consensus (WC). Originally developed for economic restructuring in Latin America, the package was not viewed as a transition pathway for former communist states (Williamson, 1993). However, the WC was selected for 'speed and comprehensiveness' (Aslund, 2007) and was actively promoted by international financial organisations (IFOs) for its ability to stabilise economies in transition states.

At the early stages of post-communist transition, transition governments entered into a debate about the sequence and the speed of reforms that soon developed into a debate about whether they needed to seek gradual or radical (*shock therapy*) changes of economic policies. In practice however, this debate was not as important as the credibility of political leaders in implementing the declared objectives of economic reform, i.e. whether the economy of a particular post-communist state had been (really) reformed/marketised or not (Lavigne, 1999b: 116-8).

The pace of reform was driven purely by political considerations (Lavigne, 1999b: 119-20) whereas gradualists called for the consideration of the importance of market institutions for successful transition and smoothing out the social costs of transition (the main critique of the neoliberal approach), while *shock therapists* chose radical reforms to demonstrate a definitive break with the communist past (Pickel, 1997). The selected modes of economic reform reflected on various paths of post-communist transition chosen by political elites. Whereas Hungary's gradualism was dictated by its high progress in liberalisation even prior to the collapse of communism, gradualism in countries such as Ukraine was only alleged and, as will be shown in Chapter 4, served as an excuse for not reforming.

In fact, both gradual and *shock* approaches implied a shift to a market economy through the adoption of neoliberal principles and differed in the pace of this adoption. Moreover, any alternatives that fell in line with *market socialism* could not be realised at the time, because, unlike the WC, this alternative lacked feasible programmes of economic reforms. Furthermore, transition governments depended on support from external donors (including such IFOs as the IMF and WB), who

backed up the WC and *shock therapy* (Papava, 2005: 83). Thence, refusing the WC meant not reforming at all. As an example, Ukraine's *neither shock therapy nor gradualism* resulted in a 'shock without the therapy' (Dobbs, 1993) — a severe economic recession and poor progress in marketisation as opposed to advanced and high-pace reformers from East Central Europe and the Baltics (Table 1.2).

With time, the optimal model for economic transition emerged, combining macro-economic stabilisation, liberalisation, and privatisation with social security system and institutional framework (Papava, 2005). However in the beginning of transition, the WC was the only available reform package, and the ability to implement it or to fit it to the context of transition states depended fully on transition governments.

The importance of the relationship between political will and economic reform has increased the explanatory value of political economy for post-communist economic transition (Lavigne, 1999b: 274-5; Pickles & Smith, 2005). For example, the public choice theory claims that governmental officials may act not only for the sake of public interests but also in pursue of their personal interests (elections, bureaucracy or rent-seeking, as in the case of the debate mentioned above or in Ukraine's state capture that will reflected upon in Chapter 4). Along with elites, the role of state in transition and especially with regard to institution-building (market institutions and rule of law) is also considered crucial (Ellman, 1995; Taylor, 1994) — both being seemingly omitted in Ukraine.

In this regard, the institutional approach views the main task of post-communist economic transition in creating an institutional system that will promote stimuli for efficient production. Meanwhile, creating such a system represents an incremental process of overlapping existing legacies — political, economic and legal norms — that evolve in selected societies in the light of endogenous developments and/or external shocks (North, 1997: 141-7).

Similarly to the importance of the balance of power on the eve of communist collapse for progress in democratisation, the initial differences in economic performance and existing market institutions as well as the political choice of economic reform in the beginning of post-communist transition became crucial for subsequent economic transformations of post-communist states (De Melo, Denizer, Gelb, & Tenev, 2001; Gelb, Melo, Denizer, & Tenev, 1999). As will be discussed in

Chapter 4, the takeover of conservative elites in Ukraine not only had stalled political reform in the country but hindered economic transformation as well, preventing the establishment of effective production stimuli. Among additional factors, the level of economic liberalisation was a determinant for economic growth in the long run and, thus, crucial for establishing sustainable democracy (according to the transitologist and modernist arguments).

Finally, although simultaneous implementation of political and economic reforms and the initial 'momentum' of transition (Offe, 1991; Roland, 2000; Stiglitz, 1999) had been crucial for the overall success of post-communist transition, the importance of agency persisted. In the flow of transition, the impact of initial economic conditions also diminished. Therefore, if reforms are implemented, they take effect regardless (Gelb et al., 1999). Communist legacies prove important for explaining why reforms have not taken off in some countries (as Ukraine) but are not determinant for the outcomes of transition per se.

2.2. International context of post-communist transition

Whereas most scholars agree that domestic factors of post-communist transition were determinant for its success (Börzel & Risse, 2000; Grzymala-Busse & Luong, 2002; O'Donnell et al., 1986), external assistance provided significant facilitation. As has been mentioned in introduction and preceding sections, those states that lacked foreign assistance were slow in introducing political and market reforms, while the negative experience of unassisted post-communist transition delivered a belief that former communist states were unable to complete it on their own (Coricelli, 2007; Offe, 1997; Petrovic, 2013)

Although these views were not definitively set one way or another, foreign assistance remained important for successful post-communist transition. Whereas some democracies such as the U.S. established themselves as 'qualifiers' of democracy (Magen & McFaul, 2009), democratic transition in post-communist context took place mainly on the background of European integration. Therefore, conceptualising the very process and the respective role of the EU in post-communist democratisation requires an insight into the basic paradigms of international relations and Europeanisation.

2.2.1. Theories of international relations: realism, liberalism and constructivism

Although democratisation became part of discussion in the international arena in the twentieth century, international relations were and/or are not primarily relations about democracy. Rather the three dominant paradigms in international relations (realism, liberalism and constructivism) explain the nature and the system of these relations without a necessary link to democracy.

Thus, representatives of **realism** view the international system as anarchy dominated by power struggle (Morgenthau, 1973: 8). They believe that states as the main international actors use power to satisfy their national interests (Wohlforth, 2008: 33) by balancing against specific threats or international actors that have achieved dangerously high level of power (determined by military capacities, economic development, size of population, and natural resources) (Waltz, 2014: 117).

Yet the interpretation of power depends on relations between actors that exercise and experience it (Dahl, 1957), while the application of power is limited to the analysis of what power actually is (Dahl & Stinebrickner, 1963: 33). This critique was reflected in the ideas of the liberal school that refused the idea of power as a determinant of international politics.

Instead of viewing the system of international relations as anarchy, **liberalism** portrays it as a social structure created by international actors to satisfy their interests. The system benefits those agents that have established it and, therefore, implies certain power asymmetry (Gilpin, 1983: 9), wherein hegemony serves a solution against the takeover of anarchy through maintaining liberal international economy (Gilpin & Gilpin, 1987) and liberal international order (Keohane, 2005).

Similarly to the liberal theory of political economy and in contrast to the realist approach, liberalism in international relations restrains the role of the state in the international arena, while admitting that domestic factors determine the interests and policies of states (Panke & Risse, 2007: 90). In line with a 'two-level game' metaphor, national interests derive from the political struggle of conflicting domestic groups ('demand') and are then broadcasted by governments to the international arena ('supply') (Moravcsik, 1993: 480-2; Putnam, 1988).

The structure of international relations becomes more complicated, as state-organised international organisations and non-governmental actors join in (Nye & Keohane, 1971: 332). Interdependence of international actors also grows stronger, and 'asymmetrical interdependence' turns into a 'source of power' (Keohane & Nye, 2001: 10). The network of such interdependences, which is based on inter-state arrangements, represents the international order (Keohane & Nye, 2001: 17) maintained and promoted by hegemon. Post-war environment made the United States a hegemon that created and supported international organisations and thus constructed 'a liberal-capitalist world of political economy' (Keohane, 2005: 136-7).

Whereas the Cold War was accompanied by an ideological struggle, the collapse of communist dominance led to a widespread adoption of liberal values not least because of the articulation of 'soft' power and attractiveness of new values. Soft power implies the ability to shape the perceptions and preferences of others by literally making them want what you want (Nye, 1990: 166). It is based on 'co-opting' through coercion ('sticks'), incentives ('carrots'), and attraction. Yet soft power differs from traditional power, because it prioritises 'softer' mechanisms of impact such as diplomacy (communication) and non-governmental activities (exchange, education, media) as opposed to military power that negatively affects the image of an international actor (Nye, 2008: 94-5, 102-7).

A continuous projection of an ideal image of *self* serves as an additional tool to maintain power over the targeted society (Steele, 2010: 29-32). Soft power builds upon 'affective investments by [targeted] audiences in narrative identities constructed by states' soft power efforts' (Solomon, 2014: 737), whereas the use of proper narratives allows particular actors to literally 'shape the world' (Miskimmon, O'Loughlin, & Roselle, 2013: 1).

The narrative approach reflects the ideas introduced by **constructivists**, who view the international system as a social construction where identity, socialisation, and discourse prevail over material values. Hence, the system of international relations represents a system of interrelations between actors, where power and structure are not the causes but the outcomes of such interdependence. The distribution of power is determined by 'culturally constituted' ideas, while the interests of nation-states are contingent and socially constructed through their identities (Wendt, 1999: 1, 119, 233).

By implication, international actors create ‘the underlying rules of the game’ and, by embedding them into identities of other actors, make these actors adopt or follow the rules (Adler, 1997: 337). March and Olsen (1998) explain this process by ‘logic of appropriateness’, wherein the expectations and preferences of international actors derive from their perceptions and ideas. In turn, these ideas create particular behaviour that corresponds with specific identity. International actors use these identities to fit in social frames shaped by the rules, specific to the society, group or organisation they belong to, including for international institutions (March & Olsen, 2004: 692).

Despite visible differences in interpretations of power, international actors may equally exercise power in its materialist (realist) or constructivist (perceptions) meaning. Moreover, the three theoretical paradigms have several points of contact. According to **neoclassic realism**, any state relies on ‘relative material power capabilities’ in formulating its foreign policy (Rose, 1998: 146), while the application of power depends on the context in which the country acts. Elites and their perceptions of power as well as the ability to mobilise and ‘extract’ national resources affect the country’s foreign policy (147). Systemic pressures of external environment constrain the behaviour of states, while their foreign policies represent an attempt to balance between external pressures and domestic politics in order to develop as closely ideal foreign policy as possible. Importantly, such an incorporation of liberalist and constructivist arguments in the realist framework is called upon to explain a situation when domestic politics and ideas ‘distort’ the country from optimal (ideal or objective) foreign policy. Presumably, this ‘distortion’ is the main reason behind the failure of any foreign policy (Rathbun, 2008: 310-1).

By incorporating some aspects of the three key paradigms, neoclassic realism provides a point of reference for studies that deal with complex cases such as Ukraine. Ukraine is perceived as *locked in* between liberal Europe and authoritarian Russia, whereas the EU refers to its norms as a roadmap for Ukraine’s transition and Russia refers to the Russian-Ukrainian *brotherhood* in holding Ukraine from its European course. This *battle of the narratives* unfolds against the background of pursuing *real* security and economic interests (realist approach), while Ukraine itself remains domestically conflicted about the course of foreign policy it has to pursue.

Reflected in almost polar versions of policy courses in between and after Ukraine's two democratic revolutions, these developments point to the complementary character of the realist and constructivist theoretical approaches in Ukraine's case and especially with regard to a counter-play between the interests of Ukraine's domestic elites and the reflection of these interests in the course of Ukraine's foreign policy (the liberal approach).

Since Russia does not pose as a democracy promoter and does not provide any mechanisms for relevant assistance, EU-led democratisation will be the focus of further theoretical investigation in this thesis. Meanwhile, the remaining aspects of the three dominant paradigms of international relations are utilised only to the extent that they explain certain aspects of Ukraine's relations with other actors (such as Russia) in relation to Ukraine's progress in post-communist transformation.

2.2.2. The mechanisms of democracy promotion and Europeanisation

Whereas external factors were initially treated as 'environmental' influences (Pridham, Sanford, & Herring, 1994: 3-31) wherein liberal actors could serve an example of possible liberalisation simply by their presence (Manners, 2002), the divergence of transition pathways required further research on the causes and potential impact of external actors on democratisation. In the post-communist context, articulation of Europeanisation advanced to this process primarily because many transitions took place on the basis of European integration.

Europeanisation represents the process of historical and cultural diffusion reflected in the construction of European identity (Featherstone, 2003) and/or incorporation of European norms in domestic political structures of Europeanising states (Cortell & Davis, 1996: 454). European norms hold a special place in the Europeanisation framework not only in the course of European integration, but also because they make the core of the EU's ability to impact international actors in the international arena. 'Normative power Europe' (NPE) is closely associated with the EU and its norms and implies the EU's 'ability to shape conceptions of "normal" in international relations' (Manners, 2002: 239). Despite the fact that normative power is criticised for its narrowly *European* focus (Diez, 2005) and

promotion of the EU's imperial discourse (Zielonka, 2013), the concept represents the core of the EU's foreign policy and, for this reason, is worth studying.

EU norms constitute EU founding documents (Flockhart, 2010) and form the core of its normative agenda. Membership of the EU or association with the *European club* is not only conditional upon the adoption of respective norms, but also EU norms are widely adopted by international organisations. Such overlapping endows the EU with the ability to push for both top-down and bottom-up democratisation.

The EU distributes its norms through 'ideational diffusion' (Lenz, 2013: 211), 'persuasion... invoking norms ... shaping the discourse' and 'leading through example' (Forsberg, 2011: 1183) while relying on already known mechanisms of internationalisation (Manners, 2002). Thus, **contagion** (diffusion, demonstration effect, or spillover) (Kubicek, 2005) implies a natural spillover of democracy to neighbouring states (Huntington, 1993b) including through the process of regional integration (Whitehead, 2001) and due to geographic proximity (Kopstein & Reilly, 2000).

In the post-communist space, electoral revolutions (began with the peaceful revolutions of 1989-1993 (Ekiert & Kubik, 2001) and continued with colour revolutions of 2003-2006) are often viewed as an example of successful diffusion (Bunce & Wolchik, 2006). Yet their success requires a number of conditions: weak authoritarianism, vested external support and, most importantly, collaborative networks between democracy promoters and democratising states (NGOs and personal contacts). Furthermore, the strength of these conditions depends on leverage (vulnerability of governments towards external democratisation effects) and linkage (economic, political and other cross-border ties) between former communist states and the West. Supposedly, weak leverage and linkage between former Soviet states and 'western-led multilateral institutions' (Levitsky & Way, 2006: 379) has resulted in their poorer post-communist performance in comparison to Central and Southern Europe, once again pointing to the prevalence of domestic conditions for the overall success of democratic diffusion (Bunce & Wolchik, 2007: 94).

The importance of the domestic environment has shifted the emphasis in democratisation from simply promoting liberal norms to motivating democratising

actors to adopt the respective norms. This process relies on **convergence**, or an incentive-based model (Kubicek, 2003) that aims at gradual normative rapprochement between democratising states and democratisers.

EU-led Europeanisation combines both an incentive-based rationalist bargaining model of conditionality (Schimmelfennig & Sedelmeier, 2005) and social learning and social-drawing models of convergence based on the constructivist logic of appropriateness (Börzel & Risse, 2012; Schimmelfennig & Sedelmeier, 2005). Yet similarly to diffusion, the success of democratisation through convergence depends on domestic environments of democratising states. The key feature that distinguishes the EU from other democracy promoters in this regard is that the EU has refused deliberate ‘democracy by design’ in favour of democratisation through European integration as part of transforming the domestic environments of Europeanising states (Dimitrova & Pridham, 2004: 99-104).

2.2.2.1. Democratisation by European integration: conditionality and socialisation

Having evolved as an economic community, the EU did not initially aim for democracy promotion until the accession of former communist states from East Central Europe, which urged the EU to adjust its policies from ‘weak conditionality and technical assistance’ to ‘stronger conditionality and monitoring’ of institutional changes in former communist states (Dimitrova & Pridham, 2004: 101).

The new approach combined the adoption of *acquis communautaire* (the EU’s *acquis*, EU law, or *acquis* — ‘the body of common rights and obligations that is binding on all the EU member states’) with economic assistance. The EU promoted bottom-up democratisation by actively engaging civil society (including NGOs) in candidate states and socialisation through political visits at high level and parliamentary cooperation (Dimitrova & Pridham, 2004; Pridham, 2007: 449-50).

However, this form of cooperation would have been impossible without strong political will from transition governments (Lavigne, 1999b: 220). For example, some transition states (Poland) began the absorption of EU norms prior to integration with the Community (Dimitrova & Pridham, 2004), while other (among them Ukraine, as will be shown in Chapter 5) did not begin this even under the officially launched partnership programme. Therefore, external assistance represents not a cause but a tool to support domestically-driven transformations,

wherein the role of the EU is limited to encouraging these changes through cooperation (Pridham, 2005: 5, 10-4).

Respectively, the first stage of democratisation through Europeanisation requires domestic consensus on European integration and considers institutional transformations in potential (future) member states through the EU's 'passive leverage' (Vachudova, 2005: 1-16). Membership incentive 'strategically' confirms EU intentions to promote a model of democratic stability and prosperity in its neighbourhood, serving as bargaining power for the EU (Dimitrova, 2002: 174-7; Schimmelfennig & Scholtz, 2008). Membership incentive also provides local governments with a legitimate 'cover' for the introduction of often painful and unpopular reforms (Haukkala, 2008a: 49), affecting the interests of local political elites and advancing to the struggle against the remains of communist legacies (Dimitrova, 2002). Those states that succeeded in their initial accession-driven changes and became members of the EU then proceeded with the consolidation of democratic institutions, supported by the EU's 'active leverage'. By merging political, economic and social institutions of new and old member-states in one governance body, the EU set up an environment that favoured political competition and prevented communist legacies from restitution (Vachudova, 2005: 1-16, 257-9). Europeanisation attained its own *logic* and *momentum*, grounded on 'routinisation of EU practices' (Grabbe, 2006: 203) wherein local decision-makers could no longer affect the dynamic of institutional changes in their entirety.

Notably, whereas conditionality (viewed through the implementation of the EU's *acquis*) is often criticised for its propensity towards economic issues (Epstein & Jacoby, 2014) and formal institutionalisation (Pridham, 2002), the success of socialisation also depends on whether socialising actors (such as NGOs) and reform-oriented veto-players manage to win over anti-reformist elites (Dimitrova, 2007; Dimitrova, 2010; Holmes, 2013).

Therefore, the ideal model of post-communist Europeanisation implies that both types of leverage create a self-reinforcing mechanism in which formal democratisation during the accession process and socialisation of EU member-states after the accession prevent the distortion of newly created institutions, which took place among non-members.

The more institution-building norms the EU includes in its conditionality, the more likely is successful transformation, as 'the precision and certitude of EU

demands' determine the strength of the EU's impact on Europeanising states (Grabbe, 2006: 206). In turn, EU membership remains a crucial supporting element for routinisation, or socialisation of adopted changes.

In practice however the EU could not expand endlessly and therefore could not apply membership to all of its post-communist neighbours. Having accommodated ten new member-states in 2004 (including eight former communist states: Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia), the EU took pause to *digest* the expansion (Haukkala, 2008b). Not only this was reflected in an unenthusiastic, inertial enlargement in 2007 (Bulgaria, Romania) and 2013 (Croatia), but it has also resulted in a more demanding conditionality for remaining candidates (Turkey and Western Balkan states) (Petrovic, 2017).

Meanwhile, public support towards enlargement inside the EU declined (Pridham, 2007) and, together with undermined economic stability and the Eurozone crisis (Silander & Nilsson, 2013), added to the EU's enlargement fatigue. The fatigue signified that the remaining post-communist states had to proceed with democratic transitions without relying on EU membership, and this precipitated a search for alternative models of democracy promotion.

2.2.2.2. Democratisation without European integration: good governance and socialisation

By the time the search for alternatives began, the evidence pointed that Europeanisation had succeeded primarily among EU member-states, 'quasi-members' (Switzerland, Norway) and candidate countries (Schimmelfennig, 2012: 22) whose domestic structures were incorporated into the EU's institutions (Knill & Lehmkuhl, 2002; Lavenex, 2011). In contrast, the remaining Eastern and Southern neighbours (such as Ukraine) faced less binding transfer of EU rules, while the rest of countries did not qualify for the EU's external governance at all (Lavenex, 2011). The EU continued normative expansion in the neighbourhood through intensification of cooperation with remaining post-communist states by means of the European Neighbourhood Policy (ENP). Yet it excluded promise of membership and faced a number of related limitations, which proved important for Ukraine's post-communist transition.

Launched in 2004, the ENP spread across sixteen states from Eastern Europe (including Ukraine), North Caucasus, Northern Africa and the Middle East and aimed to establish the 'Wider Europe' or the 'ring of friends' through normative promotion (EEAS, 2016b). Some EU member-states (Sweden, Poland) also urged closer cooperation with former communist states by pushing for the Eastern Partnership (EaP) for Ukraine, Moldova and Belarus. Yet this policy was an extension of the ENP and has suffered from the same limitations.

In the absence of membership incentive, the ENP's promise of *association without membership* proved hard to communicate, and it could not provide local elites with proper incentives to reform (Haukkala, 2008a; Kubicek, 2005). ENP economic benefits covered primarily market liberalisation and technical assistance, whereas political and financial commitment from the EU remained weak (Lavenex, 2004). Altogether these reflected in a similarly weak conditionality (Gawrich, Melnykovska, & Schweickert, 2010).

Among the remaining tools of democracy promotion, the EU could change domestic opportunity structures (legislation or the balance of power) and/or use socialisation and domestic empowerment to nurture support for EU norms and policies in democratising states (Knill & Lehmkuhl, 2002). The EU could promote its norms in sectors that were less *costly* to domestic actors (for instance, environment), which, by implication, could lead to the spillover of EU norms to other fields — the main premise of the external governance approach (Lavenex & Schimmelfennig, 2011). Finally, the EU could *persuade* targeted groups (political actors and civil society) to change their ideas about social norms by adopting European values (Börzel & Risse, 2009). In practice, the EU combined all the above-listed mechanisms (Knill & Lehmkuhl, 2002), but in the case of Ukraine, each and every of them implied a number of limitations caused primarily by the absence of membership incentive, as will be discussed in Chapter 5.

As the transition experience has demonstrated, normative diffusion succeeds only if transition states accept it (Börzel & Risse, 2012). Therefore, EU norms should address specific domestic problems (Schimmelfennig, 2008, 2009) or match the interests of local elites. Otherwise, EU norms risk being treated as 'empty shells' (Dimitrova, 2007; 2010). For example, partially adopted legislation on migration

and environment in Ukraine did not lead to their spillover to other sectors (Freyburg, Lavenex, Schimmelfennig, Skripka, & Wetzel, 2009).

Furthermore, in the case of Ukraine, the EU had to utilise the interest in self-enrichment by local elites if it wanted to engage them in adoption and promotion of its norms (Melnykovska & Schweickert, 2008a). Yet, as will be shown in Chapters 4 and 5, *rapacious* elites would not necessarily be interested in actual liberalisation, because the existing political and economic systems in Ukraine benefited them primarily by its non-transparency.

Furthermore, successful institutionalisation of EU norms by means of conditionality would have been possible only on the basis of those norms that advance institution-building, such as reforms in the civil service sector and administrative reform, good governance, the establishment of various regulatory commissions and administration of regulative organs and their competition (Dimitrova, 2010). As will be revealed in Chapter 5, the adoption of respective legislation in Ukraine was launched only after the Maidan revolution and remains half-hearted.

Finally, along with tight conditionality, successful institutionalisation of EU norms also require socialisation with ‘a certain degree of decentralisation, resources and civil society empowerment’ (Lavenex, 2008: 939, 945). Although Ukraine is often viewed as an example of successful diffusion of democratic norms (Bunce & Wolchik, 2007), wherein its democratic revolutions reflect on the success of popular and, thus, bottom-up, drive to democratisation, it appears that the lack of domestic networks (civil society) relevant to European ones may be considered one of the reasons why popular aspirations do not result in democratic consolidation afterwards (as will be revealed in Chapter 4).

Whereas the EU is limited by Ukraine’s domestic constraints in terms of how far it may push its governance agenda (Youngs, 2009a), another limitation derives from the EU’s own approach. Literature on the EU’s normative diffusion ‘turns a blind eye to issues of (conflicting) interests and power’ (Börzel & Risse, 2009: 11), especially when these ideas are resisted or contested on the ground. Most of the discussion about the EU’s foreign policy and democratisation focus on the ‘EU’s own approach’ and do not account ‘receptiveness to the Union’s ideals’ in the neighbourhood (Haukkala, 2008b: 37). In the context of Ukraine’s two democratic revolutions and the on-going crisis, these questions become even more

important due to on-going Russia-EU competition over Ukraine (N. R. Smith, 2015).

Altogether, these factors demonstrate that EU democracy promotion efforts are not necessarily a one-way story of success, but rather that they should be considered in combination with Ukraine's domestic developments and alternative (not only normative-constructivist or liberal) explanations. The next section elaborates upon how Ukraine's domestic constraints overlap with external factors of post-communist transition.

2.3. A framework for Ukraine's post-communist transition

This thesis incorporates conceptual and theoretical elements of post-communist transition and Europeanisation frameworks, investigating the links between their constituent elements. A conceptual division on post-communist transition and *the factor of EU assistance* is undertaken in order to separate endogenous and exogenous factors of transition. This conceptual division allows the investigation into how (EU-led) external factors may have affected the domestic processes in Ukraine, or which group of factors has been determinant for Ukraine's post-communist transformation.

2.3.1. Framing post-communist transition

In conceptualising Ukraine's post-communist transition, this thesis relies mainly on institutionalist explanations and the path-dependence approach which allows the ordering, or sequencing of Ukraine's institutional development. In tracking Ukraine's institutional change during the selected turning points and its evolution in between them, this study adopts Offe's definition of the 'triple' character of post-communist transition (Offe, 1991) and primarily relies on the three-level analytical approach of Ekiert and Hanson (2003).

Although post-communist transition is organised across the three key tasks, or trajectories: consolidating nation-state in terms of its territories and citizenship, reorganising economy, and establishing the rules of politics (Elster et al., 1998: 17; Offe, 1991) — analytically and in line with the path-dependence approach, Ukraine's institutional development may be tracked in time (since it is durable) and

space (Ukraine has emerged in extremely volatile geopolitical environment). As such, Ukraine's post-communist transition may be viewed as a turn in its path-dependent development, where the decisions on its identity (nation-state), institutions (rules) and agency have been affected by various groups of factors (Ekiert & Hanson, 2003). In line with the works by Beissinger (2002), Ekiert and Hanson (2003), Giddens (1984), and Offe (1991) these groups of factors may be categorised across three levels of analysis:

- The first level forms the basis of post-communist transition, identifying the long-run patterns of historical development (socio-economic, political, cultural), their general geographic and demographic characteristics (Ekiert & Hanson, 2003).
- The second level of analysis deals with the institutional aspect of transition by establishing norms, rules and procedures of particular regimes — their 'constitutions' (Elster et al., 1998; Offe, 1991).
- Finally, the third level represents particular choices and events that derive from 'informal networks' and 'interpersonal communications' (Ekiert & Hanson, 2003: 20). This level of analysis also includes events that serve as critical junctures or produce sequences of events (Beissinger, 2002: 17).

Such analytical approach allows an investigation into how structural, institutional and interactional factors shape the flow of Ukraine's post-communist transition, revealing the 'causal relations' between temporal (including with regard to 'the problem of simultaneity') and spatial contexts of transition. In addition, such approach reflects on the importance of legacies and agency for the outcomes of transition (Ekiert & Hanson, 2003: 17; Elster et al., 1998: 19).

For example, collective memories and cultural filters, concerned within the structural level of analysis, pass on historical experience and legacies in time (Giddens, 1984; Kitschelt, 2003). The most durable patterns of such experience form 'deep' conditions (Cirtautas & Schimmelfennig, 2010: 437) of institution-building such as territorial unity and stable borders (Rustow, 1970), identity and agreements on stateness (Linz & Stepan, 1992). Although the nationalist and civilizational factors may be important as supportive to the coherence of a nation-state (Kuzio, 2001b), this thesis considers the state to be crucial both in shaping the nation (by promoting certain identity narratives) and state institutions. The latter is revealed in the rules of bargaining, organisational institutions (electoral systems,

legislation) and framing the quality of political elites who should represent the nation-state as a whole (Roeder, 2007: 15-6).

For example, the lack of territorial unity, ethnic composition, identity (some may include civilisational aspects (Huntington, 1993a) here), imperial legacies of the Russian and Habsburg empires (Bunce, 2005) as well as economic specialisation shape the deep conditions of Ukraine's post-communist transition. However, these structural factors do not determine Ukraine's post-communist development per se, because, as was revealed above, the mode of post-communist institutional change is determined by political elites (Roeder, 2007: 15-6).

Moreover, institutions may evolve gradually or they may be *adjusted* (even accelerated) through certain critical junctures that produce overlapping patterns of old legacies and new practices (Collier & Collier, 2002). Meanwhile, the extent to which old legacies reproduce themselves on the basis of new institutions depends on the nature of change undertaken (radical or moderate), the *momentum* of change, and the duration of institutional orders.

With regard to the character of the change undertaken, the establishment of communism is a clear example of radical, revolutionary change. Communism was not envisaged for the Russian empire at the time, and a number of institutional developments that it produced (such as gender equality, suffrage or labour regulations) had not been integral to Eastern Europe and Ukraine in particular. In contrast, the culture of political engagement represents a case of evolutionary development that did not change significantly even after the collapse of communism (this will be revealed in Chapter 4).

The character of change also overlaps with the *momentum* of change. The most effective path is established only through a combination of both factors (as with the establishment of communism in Ukraine described in more detail in Chapter 3). However, with regard to Ukraine's post-communist transition, this combination has meant that Ukrainian elites had not undertaken a course for radical reform at the beginning of transition (as will be demonstrated in Chapter 4), which then resulted in the preservation of communist legacies to a greater degree than in ECE states, where the change was more substantial.

Finally, in considering the importance of duration of institutional order, it could be implied that with every subsequent turn of institutional choice, the degree

of impact of historical legacies from the previous period on newly established institutions decreases. Whereas pre-communist legacies were important to the character of the established communist regime (Kitschelt, 2003), they have not been equally important to the character of post-communist democratisation. On the opposite, communist legacies were more crucial in this respect, and their duration correlated with the strength of their impact in Eastern Europe (Ekiert, 1996; Petrovic, 2013). Such legacies included charismatic impersonalism, dominance of single communist party, the rule of the nomenklatura and the strong role of informal relationships (Ekiert & Hanson, 2003) that shaped the very conditions under which post-communist institutionalisation began.

Therefore, communist legacies have influenced post-communist transition (Ekiert & Hanson, 2003) by affecting the mode of regime change (Ekiert, 2003) through the balance of power that preceded regime change (McFaul, 2005). In turn, the mode of regime change has determined the outcomes of democratisation (O'Donnell & Schmitter, 2013; Petrovic, 2013; Karl & Schmitter, 1991) such as the quality of the established institutions of democracy (Bunce, 1995a; McFaul, 2005) and economic reforms. These have been reflected in the features of established political regime such as electoral process, division of power, legal and juridical aspects of political regime, strongly linked to public opinion and voting behaviour (Ekman, 2009; Levitsky & Way, 2002). Therefore, the two key aspects of institutional analysis, legacies and institutions, may be grouped as follows:

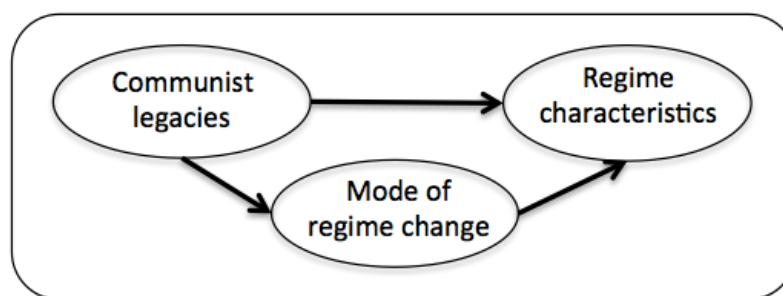


Figure 2.1. The institutional level of analysis

In case of Ukraine, not only the balance of power between the non reformists (members of the communist nomenklatura) and reformists (liberal-democratic political and intellectual elites) on the eve and after the first post-communist elections, but also the results of two democratic revolutions experienced

in 2004-2005 and 2013-2014 were of decisive importance in defining the path and outcomes of its post-communist transition (Kuzio, 2008). Both events took place on the basis of already established hybrid regime in Ukraine but, as will be demonstrated in Chapter 4, were primarily agent-driven. This demonstrates that the role of agency remains crucial for the success of post-communist democratisation not only in selected *big* critical junctures (such as the 1917 revolution or the collapse of the communist dominance in the 1980s) but also during the subsequent institutional development.

Therefore, institutional change may be produced by the factors concerned at the interactional level of analysis, where agency may be considered one of the sources of change. Although institutions generally restrain actors in their capacities to act (Ekiert & Hanson, 2003; North, 1997; Roeder, 2007), institutionalisation in part evolves on the basis of ‘“contagion” — transfer of ideas, behavioural patterns, and cultural practices, as well as mimicry and imitation in institution-building and policy innovations’ (Ekiert & Hanson, 2003: 38-9). In addition, political actors shape institutions by reaching social consensus, making institutional choices (legislation and electoral system) (Howlett, 2009) and deciding on identity (Roeder, 2007). Finally, political actors create events that produce critical junctures, challenging both the existing institutional order and even the social structure.

In post-communist context, the role of agency was extremely crucial due to the lack of its institutionalisation. Particularly, the lack of institutionalised agency resulted in that the collapse of communism poured into an uncontrolled event, followed by an equally unpredictable and ambiguous transition (Elster et al., 1998). Some authors (Beissinger, 2002) point to how such cases (events) challenge the structure of social reality turning into a source of change. By building on Giddens’s (1984) argument that structure supports action, Beissinger (2002) claims that some forms of action may produce unpredictable events that, through constant reproduction of agency, undermine structural constraints. In such cases events may ‘become their own structure entirely’ (17) and form into the patterns of their own (such as the ‘tide’ of nationalist mobilisation in the late USSR).

Importantly, both contagion and event-based change at the interactional level of analysis reflects the process of diffusion, meaning it provides not only for temporal but also for spatial logic. Accordingly, the source of change may lie within cultural and/or behavioural differences among domestic actors (such as political

culture), challenges of the environment that requires certain practical knowledge (the collapse of communism required new political behaviour) and external influences which are especially crucial because different international actors promote different norms.

In countries like Ukraine, which are rich with cultural and behavioural differences among domestic actors the factor of external influence may also be important in setting the trajectory of post-communist transition. The next section elaborates upon the issue by introducing the factor of external influence to the above-discussed framework.

2.3.2. Ukraine's post-communist transition through a prism of Europeanisation

As was demonstrated in Section 2.2.2, European integration was crucial for the successful democratisation of former communist states in East Central Europe and particularly the Baltic States (former Republics of the Soviet Union), while, in the absence of membership, Ukraine's post-communist transformation was shaped by systemic geopolitical constraints and identity issues (Proedrou, 2010).

The stability of Ukraine's foreign and domestic policy has remained rooted in the 'balance between Russia and the West, balance between Eastern and Western Ukraine, and balance among Ukraine's political forces' (D'Anieri, 2012: 455). While the EU has maintained its course towards closer association with Ukraine, Russia has aspired to preserve its impact in Ukraine, not least by utilising historical and institutional similarities. Therefore, Ukraine has not been exposed to Europeanisation only. In addition, China has launched '16+1' policy for eleven EU Member States and five Balkan countries (Latvia, Lithuania, Estonia, Hungary, Poland, Slovakia, the Czech Republic, Slovenia, Romania, Bulgaria, Croatia, Serbia, Albania, Bosnia and Herzegovina, Macedonia, Montenegro) which may expand China's focus to EU neighbours (Ukraine among them) in the future. Yet, Russia and the EU remain the main competing actors with regard to Ukraine so far, and their pursuit of competing policies has produced contrasting and/or overlapping impacts across various areas in Ukraine (Dimitrova & Dragneva, 2009). In addition, European political structures have remained changeable and negotiable.

As was clarified by Radaelli (2003: 30), EU norms and rules are ‘first defined ... in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies’. Since the EU comprises a variety of differing political institutions and even more diverse member-states, political ‘trade-offs’ represent an inevitable part of EU policy-making (Whitman & Landau, 1996: 174). Although these peculiarities are not the main focus of this research, they may explain the lack of coherence in EU policies regarding Ukraine. Such trade-offs illustrate that interests (which shape policies), institutions (that create constraints or opportunities for policy-makers), and ideas (which affect actors’ choices and shape preferences) (Anderson, 2003, p. 44) affect the logic and the method of the EU’s decision-making:

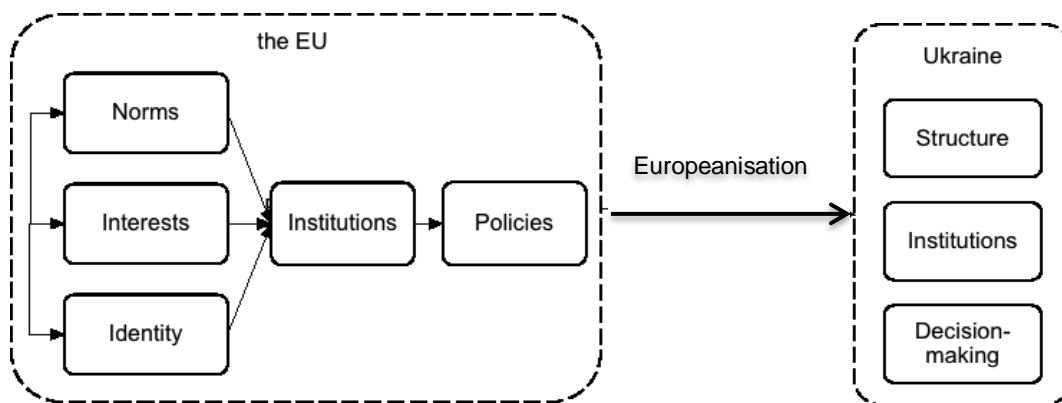


Figure 2.2 The conceptual framework of Ukraine’s Europeanisation

Many do not see Ukraine as part of European civilisation because its long-term socio-political, economic (Chiot, 1991) as well as civilisational and cultural development (Janos, 1993) differs from the Western European one. However, as was described in Section 2.1.1, such an approach is mired in predeterminism, while the EU’s motto, ‘United in Diversity’, demonstrates that cultural and political differences, on the opposite, constitute the core of European political identity. Therefore, although Ukraine may be religiously or culturally different from other European states, this should not prevent Ukraine’s normative convergence with the EU.

In this regard, geopolitics, introduced at the institutional level of analysis (Ekiert & Hanson, 2003) may be more beneficial in explaining the context of EU-Ukraine relations. Yet even this factor reflects agency more than geographic (or structural) factors of transition. Thus, the agreed division of Europe after World

War II is an example of a political choice that set up different institutional paths for Western and Eastern Europe and thus became determinant for institutional development. Similarly, European boundaries were re-set once again after the collapse of communism (Cirtautas & Schimmelfennig, 2010). While East Central Europe was treated as part of the Western European culture and was believed to be capable of adopting European norms (which affected the views of European and domestic policy-makers) (Ekiert & Hanson, 2003), Ukraine was excluded from European politics and EU enlargement.

Importantly however, this does not confirm the structuralist thesis on the division of Europe; rather it demonstrates how structural constraints retranslate through perceptions of decision-makers and public, thereby affecting post-communist transition at the institutional (geopolitical) and interactional levels. Moreover, this points to the importance of perceptions as part of foreign policy-making in line with the neoclassic realist approach.

Geopolitics reveals its presence through ‘institutional regimes, economic and political cooperation, and security alliances’ (Ekiert & Hanson, 2003: 35), where the EU is an example of such an alliance. Yet in the context of the differing views on the EU as democracy promoter vis-a-vis empire and especially in light of the EU-Russia geopolitical competition (N. R. Smith, 2015), Ukraine represents a unique case to test the validity of EU democracy promotion efforts (N. R. Smith, 2014a), because viewing EU power as tool of solely democratising effect may be wrong (N. R. Smith, 2014b) and asymmetrical interdependence may not have the potential to advance democratisation to the extent it is assumed.

Therefore, EU foreign policy should be evaluated in the context of promoting EU democratic values and their institutionalisation, with an emphasis on the institutional and interactional factors of Ukraine’s post-communist Europeanisation. In this respect, informational and procedural diffusion as well as transference become the main tools of the EU’s impact in Ukraine, because they shape domestic preferences and policies of Europeanising states. In turn, EU cooperation with local political and economic elites as well as non-governmental organisations and political parties establishes ‘transnational linkages’ (Pridham, 2005: 14) that strengthen bilateral cooperation. As such, most of Europeanisation mechanisms described in the previous section operate primarily at policy level.

Meanwhile, the absence of membership incentive limits the EU's 'transformative power' (Grabbe, 2006) in Ukraine, meaning that Europeanisation risks resulting in formal institutionalisation and even imitation of respective norms (Kubicek, 2007). Accordingly, institutional compliance may take place only if the adoption of *acquis communautaire* is combined with simultaneous socialisation. Enhanced transnational linkages and increased diffusion may lead to a normative change (a change in domestic opportunity structures) in Ukraine and promote democratic norms in the country. However, as a shift in perceptions does not necessarily imply their adoption and implementation, a persuasive approach remains crucial for EU democracy promotion in Ukraine (Sabatovych, Heinrichs, Hobova, & Velivchenko, forthcoming 2019).

Hitherto the EU has created an environment favourable for democratic institutionalisation, which puts pressure on decision-makers in Ukraine but does not reshape Ukraine's policy-making. For this reason the impact of external environment may become decisive for institutional choices made by domestic actors whose role in post-communist transition increases if the gain external support.

Nevertheless, one might be aware of a few issues. First, the extent to which domestic actors support EU-led institutionalisation and structures depends strongly on Ukraine's political environment because external models generally follow domestic models (Lavenex & Schimmelfennig, 2009) while Ukraine's historical development and regional disparities complicate the adoption of EU norms due to varying perceived legitimacy of the EU (the Russian issue and Ukraine's regionalism will be discussed in Sections 4.3 and 5.3).

Second, the interpretation of EU norms as well as geopolitical balance in the region (Russia's position on Ukraine) complicates the analysis within the offered framework. Whereas some asymmetry or hierarchical governance (Knill & Tosun, 2009) is required in EU relations with Europeanising states for the transition state to be more interested in receiving rewards than the EU in granting them (Lavenex & Schimmelfennig, 2011), the EU should also pursue a normative and not a realist (material) interest in Europeanising state, because the latter may negatively impact the success of its democracy promotion (N. R. Smith, 2014b).

Third, one should stress that some representatives of Ukrainian civil society consider Ukraine's post-communist transition accomplished: although this

transition has not resulted in the establishment of consolidated democracy, it has nevertheless resulted in the establishment of new institutions (interview6). Therefore, the quest for Ukraine's deeper transformations lies in whether it is capable of breaking the vicious cycle of *Ukraine fatigue* in both external and domestic transformations or whether what is viewed as protracted 'postcommunism' (post-communist transition) (Bunce, 1995a: 119) reflects the accomplished transition from communism to a hybrid democracy.

2.4. Conclusions to Chapter 2

This thesis aims to combine various theoretical approaches in explaining the flow of Ukraine's post-communist transition as part of its institutional development. In this process, EU policies are viewed as an additional layer but not a determinant factor of Ukraine's post-communist transition.

The choice of the framework is built on sequencing Ukraine's institutional development along three analytical markers of transition (structure, institutions, agency) in time (historical institutionalism) and space (Europeanisation). It also incorporates those elements of scholarly thought that reflect on consensus among various approaches such as the importance of institutions and socio-economic development for sustainable democracy.

The selected framework reflects on Ukraine's lock-in between the aspired model of liberal democracy (European) as opposed to a currently functioning model of hybrid democracy. Therefore, this thesis does not treat Ukraine's post-communism as a one-way move but instead concentrates on the evolution of Ukraine's institutions and the current capacity of the EU to help Ukraine to build the institutions it aspires to.

CHAPTER 3. HISTORICAL BACKGROUND AND STRUCTURAL DIMENSION OF UKRAINE'S 'TRIPLE TRANSITION'

This chapter provides a detailed overview of Ukraine's political and socio-economic history and explores its impact on the structural dimension of Ukraine's 'triple transition'. Particular attention is paid to structural patterns, the establishment of communist rule, its character and the potential legacies the communist rule could have produced in Ukraine.

3.1. The early origins of Ukraine's statehood

The origins of Ukraine's state history can be traced back to the establishment of ancient Kievan Rus' — a proto-state made up of different disjunct tribes — in the ninth century. Considering that Western European states already endeavoured to move to the feudal level of development, Rus' commenced the unification of its peoples and territories under a shared religion. The Christianisation of Rus' was carried out in 988 by its ruler, Prince Vladimir, who set a path towards rapprochement with Byzantium.

Vladimir's choice became a building block of the structuralist argument regarding the importance of religious choices in establishing the modern differences between the *advanced West and the backward East* in Ukraine's context (see Chapter 6 for more details). Yet at the time, this choice was purely rational. Vladimir believed that 'a monotheistic religion' could consolidate his power, as the adoption of religious institutions advanced to the construction of state hierarchy (Zhukovsky, 1984b). Also, rising Kievan Rus' achieved a military alliance with one of the greatest powers in the region (Poppe, 1997).

However, Vladimir's choice of a political and cultural alliance with the Byzantine Empire had other path-producing implications for Kievan Rus'. The political crisis in the Byzantine Empire and the loss of Constantinople to the Crusaders in 1204 deprived Rus' of its main ally and trade partner. Also, Rus' was undergoing its own crisis. Between 1132-1136 several Rus' principalities had rejected Kiev authority, with Galicia-Volhynia, Novgorod and Valdimir-Suzdal emerging as alternative regional centres:



Map 3.1 The territory of Kievan Rus' in 1240

Source(s): retrieved from Magocsi (2010: 86).

The social organisation of the fragmented Principalities reverted to the arrangements of pre-joint Rus', with only their Orthodox identity remaining unaltered. The Mongol invasion (began approximately in 1223, thriving throughout 1237-1240) further consolidated an “us versus them” mentality shift’ (Raffensperger, 2012: 186), strengthening the importance of identity for common people. Most of Rus’ territories fell under the Horde dominion, with only Galicia–Volhynia remaining independent. Yet in 1349, the Principality was divided between Poland (Galicia) and Lithuania (Volhynia), and the Grand Duchy of Lithuania slowly colonised the remaining Rus’ territories, which would later make up the core of modern Ukraine (map below). Therefore, Christianisation of Rus’ established the only key legacy for the people living at these fragmented territories

— the shared Orthodox identity and its collateral, the Church Slavonic language, as the key legacy of that period of Ukrainian (pre) history.



Map 3.2 The territories of Kievan Rus' in 1263-1392

Source(s): retrieved from Magocsi (2010: 134).

Meanwhile, Poland grew into a significant power in the Polish-Lithuanian Commonwealth, and the Polish political model was adopted for the Commonwealth (Snyder, 2003). Straddling the middle ground between constitutional monarchy and oligarchy, this model was based on Roman law and municipal governance. However, religious identity remained crucial for politics.

While the share of Polish nobility peaked at 8-10%, the percentage of Rus', or Ruthenian,⁵ nobility did not exceed 2% (Snyder, 2003; Subtelny, 2009: 83-4). The power gap prompted the Ruthenian elites to convert to Catholicism and adopt Polish identity in order to be able to protect their property rights. Meanwhile, 80% of Ruthenians remained Orthodox peasants (Subtelny, 2009: 81-5). As a result, the majority of Orthodox people lost their political representation in the Polish state.

⁵ Ruthenia is hereinafter used as a Latin name for the territory where people of Rus' (in Latin 'Rutheni') lived. At the time however, the Polish nobility called these territories 'Roksolania' and promoted a belief that Rus' (Russian) and Polish nobility had common ancestry (Yakovenko, 2009: 61-8).

The loss of a noble protectorate also led to the weakening of the Orthodox Church to the extent that it could no longer protect the parish. In 1596, part of the Orthodox clergy signed the Union of Brest that signified the merge of the Orthodox Church with the Roman Catholic Church under the protectorate of the Roman Catholic Church, leading to the establishment of the Uniate Church. However, this move split the Ruthenian community, since only part of the Orthodox clergy supported the Union. The split would preserve as a legacy crucial for the Commonwealth politics, since the political-identity rift in Ruthenia set up two opposing socio-political camps in the country: Orthodox peasants on the one side and predominantly Catholic noblemen on the other. The division between the two strata started to blur only with emergence of a new type of identity.

The formation of this identity fed upon the rise of Cossack (from Turkic, 'free man') communities amidst the Dnieper steppes (Subtelny & Vytanovych, 1984), where serfs and runaways from the neighbouring areas, including the Commonwealth, settled the Cossack states, or Cossacksdoms. A tense military situation and persistent Tatar threat prompted the settlers to militarise, and their self-organised garrisons, or *sich*, grew into fortified communities, documented as early as 1479 (Golovnev, 2015). In 1552, the Zaporozhian Sich was established as the 'Liberties of the [Cossack] Host beyond the [Dnieper] Rapids' (Krupnytsky & Zhukovsky, 1993) and a centre of the Cossack movement in the region. By the end of the century, the Cossack *registers*⁶ accounted for 6000-8000 people and were a military force to be reckoned with (Subtelny & Vytanovych, 1984).

Only a free man, an Orthodox believer and a person who knew the Cossack language (so-called 'simple speech' that evolved at these territories as a vernacular language, while the Church Slavonic language remained for public worship) could be accepted in the Zaporozhian Sich (Yavornitskiy, 1990a: 117, 145-6), and the narrative of free people (Cossacks) who defended their faith has later become a crucial part of the Ukrainian national mythology (Sysyn, 1991). Unlike the majority of Ruthenian elites, the Cossacks maintained their Orthodox identity and, unlike the Ruthenians in other parts of Poland, managed to attain property rights. However, Cossack revolts against the Polish authorities were often caused by material interests rather than identity (or religious) issues.

⁶ Military formations of the Cossacks registered for a regular military service to the Polish crown

Remaining in the *registers* allowed the Cossacks to maintain wages and property rights, control profitable trade and workmanship, and, in some cases, avoid the serfdom (Kryp'yakevych, 1990: 50-70). The Cossack *starshyna*⁷ grew as an elite by mediating Cossack demands with Polish authorities and even supported the legend of their Sarmathian origin (Plokhy, 1992) which fell in line with the official Polish narrative of Roksolania (footnote 5).

Meanwhile, Muscovy that had evolved from the Vladimir-Suzdal' principality joined the battle of the narratives by declaring itself an *heir* to Kievan Rus', the centre of the Orthodox faith and the last follower of the Byzantium Christian tradition. Confirming this relationship required the return of the Kyivan principality lost to the Mongols and, later on, to the Poles into the *Orthodox family*, since Kyiv remained a symbol of Holy Rus' and the building block of the evolving Russian identity (Plokhy, 2017). Muscovy intensified historical and cultural links between Ruthenians/Russians in Poland and Russians in other parts of former Rus', and, as opposed to Polish Roksolania, Muscovy called the same territories Russia (Yakovenko, 2009) paving the foundations of what would be later known as the Russian world.

The Cossacks also utilised the idea of the protection of the Orthodox faith when seeking public support, but their calls for defence of the oppressed peasants and Orthodox believers heavily corresponded with economic interests (Chirovsky, 1984: 178). Even the beginning of the largest Cossack Revolt in 1648 was caused by the offensive of grand landlords against the "liberties" and property rights of the Cossack *starshyna* (Kryp'yakevych, 1990: 63) rather than due to the oppression of the Orthodox Church.

On this background, the Cossack Rebellion of 1648-1654,⁸ which is viewed as Ukraine's national-liberation war from Poland, began as a response to economic oppression and did not initially aim for the establishment of an independent Cossack state. On the contrary, having arranged a military alliance with the Tatars, Khmelnytsky, the leader of the Cossack revolt and the first Hetman (the ruler) of the Cossack state, declared that the Cossacks were rising 'against the landlords but

⁷ A privileged category of the Cossacks that performed military and political administration of the Sich.

⁸ Some believe it ended with the death of its leader, Bohdan Khmelnytsky, in 1657

not the [Polish] king' (Kryp'yakevych, 1990: 53-4, 70), for the sake of Cossack liberties and the Orthodox faith.

Although Khmelnytsky preferred to negotiate with the Polish crown (Chirovsky, 1984: 178) and even suspended the military campaign in autumn 1648, the Orthodox clergy in Kyiv addressed him as 'the saviour, deliverer, and liberator from Polish slavery' in winter that year (Kryp'yakevych, 1990: 96). Also, the initial success of the Cossack revolt unleashed a wave of elemental unrest among the broader public, whose support urged Khmelnytsky to pose as 'the autocrat of the Rus' (Smoliy & Stepankov, 1995: 203) during negotiations with the Polish crown in February 1649. This situation clearly reflects on the Beissinger's (2002) argument about the tide of mobilisation, which led to a critical juncture, since the subsequent negotiations did not resolve the conflict and led to a full-scale war.

The Treaty of Zboriv signed on August 17, 1649 confirmed Cossack autonomy in Kiev, Bratslav, and Chernihiv regions (i. e., the creation of the Hetmanate, or the Cossack state, as on map below) and allowed Orthodox gentry of Russian origin to fill an administrative government, but the Treaty forced the rest of the remaining rebels back to serfdom (Subtelny, 2009: 131; Yakovenko, 1997: 214), sparking another tide of repudiation among common Ruthenians.



Map 3.3 The Cossack revolt and the establishment of the Hetmanate, 1648-1649

Source(s): retrieved from Magocsi (2010: 212).

Hence, only under the pressure from the Ruthenian grassroots and after 1651, the civil war between the Cossacks and the landlords turned into a national liberation war between Ukraine (according to modern Ukrainian historiography, the Cossack Hetmanate was a Ukrainian Cossack state) and Poland (Yakovenko, 1997: 201), signifying a critical juncture in Ukraine's development. During this period, the role of agency became determinant, since the Hetmanate turned to Muscovy for military support and received it under the Treaty of Pereyaslav (1654) which provided the Hetmanate with broad political and religious autonomy within Russia.

Meanwhile, the subsequent Russo-Polish War (1654–1667) and the Swedish invasion of the Commonwealth (1655-1660) resulted in the general decline of Poland. The death of Khmelnytsky in 1657 led to a thirty-year period of civil wars known as the Ruin (1657-1687) wherein the Cossack *starshyna* split, in support of the return to Poland (Smoliy, 1990: 16), while 'the Cossack rabble' stood for the Russian course (Yavornitskiy, 1990a: 252) which once again points to the importance of identity for mass mobilisation at the time. Only the 1667 Treaty of Andrusovo, signed by Poland and Russia bypassing the delegation of Cossacks authorities, heralded the final decay of the Hetmanate and thus the establishment of the institutional path of its future development.

The Treaty split Ukraine along the Dnieper River into what is now known as the Left-bank (part of Russia) and the Right-bank Ukraine (part of the Polish-Lithuanian Commonwealth). Later on, the first partition of Poland by Russia, Prussia and Austria in 1772 resulted in Russia's partial incorporation of the Right-bank Ukraine. During the second partition in 1793, almost half of the Commonwealth, including most of the territories of modern Ukraine, were accommodated into the Russian empire, while, after the third partition in 1795, the Commonwealth ceased to exist. On the scale of Kievan Rus', most of its historical territories at the end of the eighteenth century had been incorporated into the Russian Empire (see Map 3.4): 80% of what is now considered Ukrainian population lived there, with the rest remaining in the Habsburg Galicia, Northern Bukovina and Transcarpathia (Subtelny, 2009: 201).



Map 3.4 Populated by Ukrainians administrative-territorial regions of the Russian empire and Austria-Hungary at the end of the eighteenth-beginning of the nineteenth century, as contrasted to the territory of modern Ukraine

Source(s): retrieved from Magocsi (2010: 324)

Although the Cossack Hetmanate is generally viewed as the first Ukrainian state entity, its independence survived only the warring years of 1648-1654. Having established a basis for the development of modern Ukrainian identity, the Cossacks failed to create durable state institutions (K. Wolczuk, 2001). Instead, the organisation of the Hetmanate represented a combination of Cossack military culture with political arrangements of their metropolises (Poland or Russia). During the Ruin period, the socio-political foundations of the Hetmanate continued to deteriorate. The *starshyna* developed into a military elite that made decisions bypassing the Cossack Council (Smoliy, 1990: 11) and obtained gentry status in Russia. The later further distanced the *starshyna* from common Cossacks and Ruthenian-Ukrainian serfs.

Although many consider that the first Ukrainian Constitution was adopted by the Hetman of the Right-Bank Ukraine Pylyp Orlyk in 1710 and derived from Polish political tradition of the *Pacta Conventa* (Pritsak, 1998), it remained a normative document only for four years with the legitimacy limited to the Right-Bank Ukraine. The metropolises slowly abolished the Hetmanate administration in the years 1699-1714 in the Commonwealth and 1709-1775 in the Russian Empire

(Subtelny & Vytanovych, 1984), and the Cossack movements turned into disintegrated patchy communities, with certain cultural and military traditions, yet no rights for self-administration, which was crucial for potential state-building according to Roeder's (2007) arguments.

During the early period of Ukraine's development, it lacked institutional organisation and external support to create an independent state, while the course of Ukraine's development was a result of path-producing choices rather than structural determinants. The Christianisation of Rus' was a political decision that led to Byzantium-kind institutionalisation and the establishment of a shared Orthodox identity at Rus' territories. Similarly, incorporation of the Hetmanate into Russia became a result of a political manoeuvring at the time. The latter determined the flow of Ukraine's state-building in the nineteenth century, when modern nations evolved. During this crucial period, the key feature of the Ukrainian nation was its dispersal between the two imperial powers, the Russian and the Habsburg one.

3.2. Ukraine's territories and people in the nineteenth century

Divided among the three regional powers (Russia, Prussia and Austria), Polish elites and people naturally aspired to restore an independent Poland and eventually took 'politics to the Ukrainian peasantry' (Snyder, 2003: 121). The contours of the Ukrainian people as a community had also formed by that time. By the mid-eighteenth century, the vernacular (Cossack) language became a basis of the Ukrainian language (Hrytsak, 2004), and the Cossack tradition was still alive in the memories of ordinary serfs and nobility.

Russian authorities responded to Polish initiatives by treating all, including cultural, manifestations of Ukrainian or Polish nationalism as anti-governmental. The Uniate (Greek-Catholic) Church was treated as part of the Polish anti-Russian project; Russification replaced Polonisation at all levels (Subtelny, 2009: 204-6, 210-1). By the end of the eighteenth century, the Ukrainian-speaking population made up 17.8% of the empire and still constituted the majority in most of Ukraine's historical regions (Figure 3.1). Yet the peasant status of the Ukrainian language

prevented it from growing into a significant factor of Ukraine's state-building. Due to the fact that a majority of Ukrainian-speakers lived in rural areas (93%, according to the 1897 census), Ukrainian language was described as a language of low culture (Kohut, 1986).

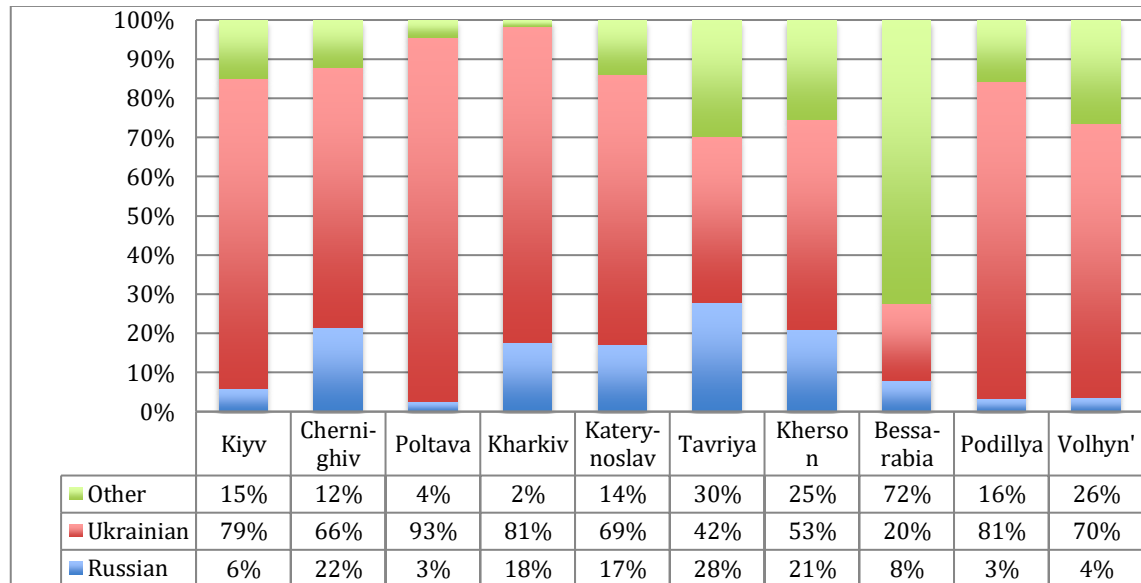


Figure 3.1 Regional distribution of the Russian- and Ukrainian-speaking * population within the European regions of the Russian empire, constituent of modern Ukraine

Source(s): the first all-Russian census of 1897, retrieved from Demoscope

Notes: the Ukrainian language is labelled Little Russian, or *Malorusskiy* in the census

Indeed, since only 13.2% of Russia's population lived in cities (according to the 1897 census), the peasant status in Russia was not linked to a particular nationality or ethnicity, but the peasant status of the Ukrainian language became crucial for the success of on-going Russification. Similarly to the Polonised Ruthenian nobility in the fourteenth century, Ukrainian landlords and bureaucrats willingly followed the course of Russification in the eighteenth century. They did so even more willingly because, unlike in the Commonwealth, their Orthodox identity did not prevent them from gaining high positions in the Russian imperial bureaucracy (Velychenko, 1995). Ukraine became to be integrated into 'a Russian idea of national territory' not through colonisation but through belonging 'to the imaginary all-Russian community' (Miller, 2005: 640), or the Russian world.

By the middle of the eighteenth century, Little Russia denoted the territories of the former Zaporizhjian Sich in official documentation, while the Little Russian

(or Cossack) identity grew to be associated with the Russian imperial culture. Only a certain attachment to the Cossack past preserved the Little Russian identity as somewhat different from the Russian one, albeit a part of a bigger Slavic community (Kohut, 1986).

At the end of the nineteenth century, Ukrainians began to build a sense of national consciousness, but strong class division onto rich Russified nobility and poor *backward* peasantry prevented their unification. Whereas in theory (and particularly in accordance to the modernist approach) political and national arrangements align through the process of the industrial revolution (Gellner, 1983), modernisation in the Russian empire was not an evolutionary but a state-launched process.

Russia's modernisation began around the 1880s, when the country needed to catch up with already modernised economic frontrunners. For a comparison, the United Kingdom had undergone its industrial revolution in the mid to late eighteenth century, western parts of Germany in the first half of the 1800s and the Habsburg empire after the wave of the 1848 revolutions. In all the afore-mentioned cases, economic transformations were encouraged by political liberalisation, while Russia's industrialisation began prior to political reforms. This led to the incorporation of old practices into the new forms of activities, whereas former landowners grew as new entrepreneurs and former serfs became their workers (Proskuriakova, 2005).

Furthermore, state administration was stalling the reform process in order not to loose the support of nobility. The 1861 emancipation of serfs preserved land bounding and resulted in no actual liberation. Similarly, the 1864 administration reform proclaimed the establishment of self-governance (*zemstva*) but de facto aimed at rewarding the nobility for their property losses by granting control over local administration (Borodko, 2011).

The absence of real reforms was also reflected in the fact that, unlike modernisation in Western Europe that was based on technologies and innovations, Russia's modernisation was resource-driven (Meliantsev, 2004). Whereas by 1913, Russian GDP was about the level of the other major powers (Table 3.1), Russia's economic growth was driven by capital investments and the availability of human resources (for example, in Siberia as shown in Table 3.2).

Table 3.1 GDP (in hundreds of 1990 Int. GK\$) and trade share (trade to GDP ratio in %) in the period 1820-1913 in selected European economies

	Austria	Hungary	France	Germany	Russia	United Kingdom
1830 Trade share	11%	n/a	8%	n/a	n/a	19%
1820 GDP	4.10	n/a	35.47	26.82	37.68	36.23
1850 Trade share	13%	n/a	13%	19%	n/a	28%
1850 GDP	6.52	n/a	58.04	48.18	n/a	63.34
1870 Trade share	29%	19%	24%	37%	n/a	44%
1870 GDP	8.42	6.46	72.10	72.15	83.65	100.18
1900 Trade share	25%	22%	23%	30%	15%	47%
1900 GDP	17.21	11.99	116.75	162.34	154.05	184.86
1913 Trade share	24%	21%	31%	37%	14%	51%
1913 GDP	23.45	16.45	144.49	237.33	232.35	224.62

Source(s): GDP data: Bolt and van Zanden (2014); the Maddison-Project (2013); Ortiz-Ospina and Roser (2016)

Note(s): 1990 Int. GK\$ is a hypothetical currency that has the same purchasing power parity as had the U.S. dollar in 1990. Russia's GDP is presented as the GDP of the USSR based on the data from the Maddison project.

Table 3.2 Gross regional product, the share of population and gross regional product per capita in the Russian empire, by provinces in 1897.

	GRP share	Population share	GRP per capita
Europe	75.0%	74.0%	72.96
Poland	8.0%	7.0%	79.01
Caucasus	7.0%	7.0%	71.33
Siberia and the Far East	5.0%	5.0%	81.93
Central Asia and steppe provinces	5.0%	6.0%	56.70
Vyborg (Finland)	0.4%	0.3%	92.77

Source(s): adapted from Markevich (2014: 24)

Similarly, the main reason behind Ukraine's relatively high economic growth at 2.8-4% per annum was the sufficient resource base (Kochnev, 2016: 19), especially in the southern and south-eastern regions colonised at the end of the seventeenth and in the eighteenth century. Accordingly, in 1860 Ukrainian territories hosted '17.6% of the empire's plants, 15.1% of its workers, and 11.8% of the value of its output' (Koropec'kyj, 1989), but Ukraine's GDP per capita was

somewhat average between the advancing Europe-bordering territories (Poland and Finland) and lagging Central Asia (Table 3.2).

A similar argument in favour of Russia's resource-driven industrialisation refers to the fact that Russia's GDP per capita (if its is viewed as a pre-successor of the Soviet Union) was almost half of that of Western European GDP per capita (Table 3.3). Approximately two-thirds of the Russian population was engaged in agriculture, and the average educational standard was at best an average for Western Europe at the end of the eighteenth century (Meliantsev, 2004). Yet despite the obvious gaps of modernisation, Russia's economic achievements were also very close to those in Eastern Europe (Table 3.3). Moreover, to a degree, the process of its political reform resembled that which was taking place amongst its closest European neighbours, including the Habsburg Empire.

Table 3.3 GDP per capita in the period 1820-1940 (1990 Int. GK\$) in Western and Eastern Europe and the former Soviet Union

	12 W. Europe*	7 E. Europe*	F. USSR*
1870	2,141	953	N/A
1890	2,703	1,276	866
1900	3,155	1,463	1,196
1910	3,442	1,667	1,348
1913	3,747	1,726	1,414
1929	4,452	1,982	1,386

Source(s): Bolt and van Zanden, (2014); the Maddison-Project (2013).

Note(s): '12 W. Europe' are Austria, Belgium, Denmark, Finland, France, Germany, (Centre-North) Italy, Holland/Netherlands, Norway, Sweden, Switzerland, England/GB/UK. '7 E. Europe' are Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania, Yugoslavia. 'F. USSR' are Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan.

Political reforms in the Russian and Habsburg empires were both accelerated by revolutions (those of 1905 and 1848, respectively). The Russian legislation of 1905 limited the power of the monarchy just as the Kremsier Constitution had in the Habsburg Empire in the 1848; the process was also halted at several points in both countries. However, not only the abolition of serfdom in the Habsburg Empire occurred earlier than it did in Russia, but it also resulted from strong nationalistic movements engaged in by Hungarians, Czechs, and Poles during the 1848-50 revolution. In 1865 Hungary declared its own Constitution paving a pace for the

Austro-Hungarian Compromise of the 1867 (Bunce, 2005) — a demonstration of how nationalistic movements were the driving force behind democratisation in the Habsburg empire. In contrast, the abolition of serfdom in Russia (in 1861) was caused by a fear of revolts by economically-oppressed peasantry (Finkel, Gehlbach, & Olsen, 2015), while popular demands were not organised in specific movements. Yet the limited character of reforms did not prevent the revolutionary mood among Russian public, spilling into the 1905 revolution, while political reforms that followed the revolution were half-hearted as well. The Manifesto on the 'of state order' (17 October, 1905) and 'The basic laws of the Russian Empire' (23 April, 1906) drew the basics of Russian constitution, but the Parliament had no real ability to limit the emperor's power and in this way the flow of liberalisation in the Russian empires significantly lagged behind the one of Austria-Hungary.

Comparing Russia and Austria also makes sense, because the remaining 20% of (then) Ukrainian population lived in Habsburg Galicia, Northern Bukovina and Transcarpathia (Subtelny, 2009: 201). Yet although political and economic reforms in the empire (and after 1867, in Austria-Hungary) followed the Western European trend, their outcomes were dubious for Ukrainians who lived on its territory.

Ukrainian lands lacked the resources necessary for an increase in production. As a result, loosening serfdom and the agricultural reform of 1850 did not boost industrialisation and economic prosperity in the region. The Austrian authorities treated the eastern provinces (particularly, Galicia) primarily as an 'internal colony' (Subtelny, 2009: 218), and in 1910 the share of industry composed only 6.2% of regional product in Galicia and Bukovina (Schulze, 2007: 25). The situation in Transcarpathia was no much different, because Hungary did not differ significantly from Russia in terms of the composition of its GDP and its rate of industrialisation, and Ukrainian lands in Austria-Hungary were some of the least industrialised in the country (Magocsi, 1983: 99).

Under such circumstances, the modernisation of Ukrainian territories in the Russian empire was no worse, even if it was not any better, than that of Ukrainian provinces in the Habsburg Empire. The key distinctive feature in this comparison lies in how the empires treated the national quest.

The Habsburg Empire embarked on nationalism-favouring policies which allowed Ukrainians to protect their native language as part of their identity.

However, 'Austro-Hungarian tolerance towards local cultures' was reflected mainly in not harming these cultures rather than promoting them (Rusaniv'skyi, 2001: 148). This was particularly visible in Galicia (Kingdom of Galicia and Lodomeria), where Poles represented 'a historical nation' and attained high positions in the bureaucratic apparatus as opposed to Ukrainians (Snyder, 2003: 127-8).

Austria also promoted the Uniate Church as 'a Catholic bulwark ... in its borderlands with Russia' (Snyder, 2003: 124), wherein equating the Uniate Church to the Roman Catholic Church allowed to mould a Ukrainian national identity. In census data (1880-1900), Orthodoxy was not even separated from Greek Catholicism. As a result, whereas 13% of the Austrian population were Ukrainian-speakers, only 2% of the Austrian population professed Orthodoxy (Andree, 1899: 310-1), and the Uniate priests considered themselves members of high Polish rather than Ukrainian culture (Snyder, 2003: 124).

Whereas Ukrainians in the Russian empire were assimilated with Russians as part of one culture and/or people (respectively, *small* and *big* Russians, where the leading role was given to *big* Russians), Habsburg nationalist policies promoted national consciousness to the degree at which it could serve the integrity of the Austrian state by undermining Russian influence over Ukrainians in Russia or the Polish influence in Polish-dominated Austrian Galicia. While the national quest and political self-determination became a vital issue for Ukrainians in Austria and Hungary, in the Russian empire public aspirations were driven by economic liberalisation.

3.3. The Russian Revolution and Ukraine's national awakening

At the beginning of the twentieth century, Russia experienced visible economic growth, but its political transformation fell behind. The breakout of World War I in 1914 further revealed Russia's technological lag behind already modernised and democratised Western states (figure below), while the lack of military success and deterioration of living conditions caused by the war encouraged a revolutionary mood among the population.

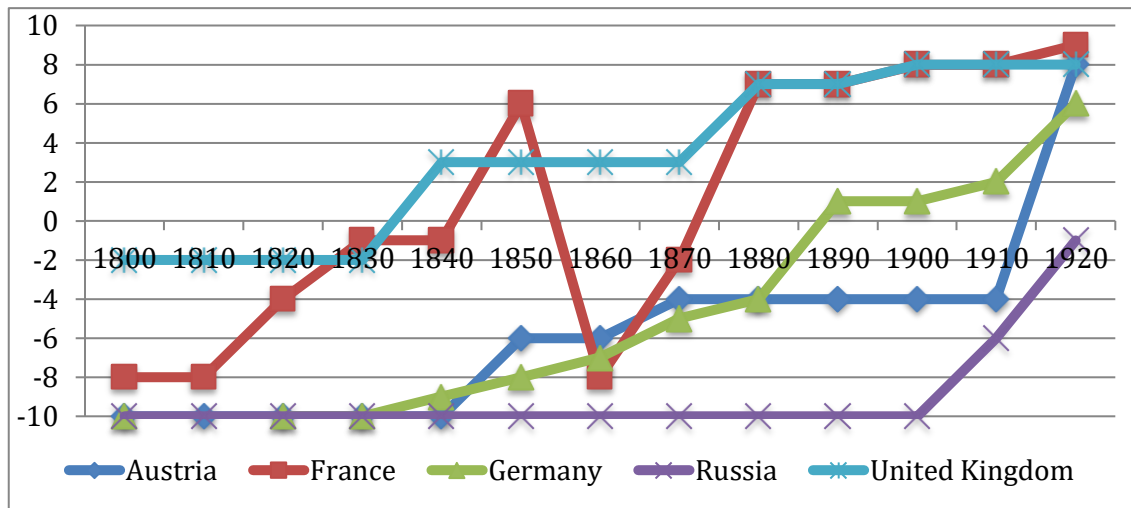


Figure 3.2 Level of democratisation in the selected European states in the period 1800-1920.

Source(s): Polity IV, adapted from Marshall & Gurr (2015).

Note(s): autocracies are ranged on the scale -10 to -6, 'anocracies' -5 to +5, and 'democracies' +6 to +10 (Centre for Systemic Peace, 2015).

The challenges of war aggravated the incompleteness of modernisation which was a main cause behind the Russian Revolution.⁹ Whereas modernisation required a qualitative shift to new types of social organisation, this change had stalled in Russia. New elites (including intellectual elites, or *intelligentsia*) appeared and aspired for liberalisation, but the authorities provided no institutions to realise these demands. Russian authorities similarly failed to satisfy the demands of the general public, or peasantry (Wood, 2004). The electoral system maintained the status quo for 'lower' strata even after the establishment of the Russian Parliament (Duma) in 1906 (Borisov, Vedeneev, Zaitsev, & Lysenko, 2008: 11-2), while any sort of social mobilisation in the Russian empire was also banned until 1905 (White, 1979b: 31-3).

Under these circumstances, the first political parties in the Russian empire were revolutionary (the Russian Social-Democratic Workers Party formed in 1898 in Vienna and the Ukrainian Revolutionary Party formed in 1900 in Kharkiv), while non-revolutionary parties evolved mainly on the basis of national movements, particularly in the Western part of the country, including in Ukraine.

⁹ Consisted of the February revolution in March 1917 (led to the establishment of the Provisional Government) and the October revolution in November 1917 (that resulted in the communist takeover).

However, the formation of national parties in Ukraine was complicated by a societal division between 'Ukrainian-speaking mono-confessional province and non-Ukrainian-speaking multi-confessional city' (Yanevs'kyi, 2008: 30).

According to the 1897 census, only 5.4% of Ukrainian-speakers lived in the cities of the European Russia, while the largest urbanised ethnic groups in the region were Jews (45.35%), Poles (32.97%), Germans (21.97%), and Russians (15.66%). Considering that Ukraine's political movements were organised as local *hromady* (from Ukr. 'communities') by intelligentsia from big cities (Chernysh, 1998: 20), Ukrainians represented a political and urban minority. Their ideas of national liberation were isolated from the general public and were largely sentimentalised, because Ukrainian intelligentsia at the time was represented by writers, poets and historians.

In contrast, the majority of Ukrainian people in the province were concerned with *the land issue* which derived from extreme socio-economic inequality. Unlike in other parts of Russia, by 1919 most of the land in Ukraine belonged to the peasantry (63%), but large households owned more than half of all agricultural land (Vytanovych, 1967: 9-12, 60). Therefore, even after the abolition of serfdom the majority of peasants could not generate income and sustain a living. For them, as for the majority of Ukrainian people, 'national liberation' was 'social' rather than national (Yanevs'kyi, 2008: 30).

Consequently, the most numerous Ukrainian parties were socialist and often merged with Russian parties due to common interests. The biggest party in Ukraine at that time, the Ukrainian Revolutionary Party, united with the Russian Social-Revolutionary Party, or SRs (Kriven'kiy, Postnikov, & Smirnova, 2000: 287-9). In contrast, *intelligentsia* and liberal-oriented social groups preferred informal meetings, while conservative and monarchy-oriented strata began to consolidate only after 1905, and their poor institutionalisation proved to be important during the upcoming revolution.

On March 7, 1917 (February 22 in the Julian calendar)¹⁰ a workers' strike in Petrograd, quickly grew into mass protests and then the revolution. As the army refused to support the regime and even joined the protesters, the emperor fled and

¹⁰ The Julian Calendar was introduced by Julius Caesar and adopted in 45 BC. Pope Gregory XIII reformed the calendar in 1582, which endowed the calendar with his name. The Gregorian calendar was adopted by Russia in 1918.

the members of the Russian Duma took the power. On March 3, 1917 the liberal core of the parliament established the Provisional Government, while socialist-oriented parties began to form their own authority — the Petrograd Soviet (or Council). The period of *dual power* (of the Provisional Government and Petrograd Council) accelerated political fragmentation in the country, since radical SRs and the Petrograd Soviet viewed their alliance with the Provisional Government only as a temporary measure.

Socialists expanded a network of local and regional councils, or *soviets* (from Russian, 'sovety'), where the Mensheviks and Bolsheviks (future communists) secured the socialist majority. Since 1912, Mensheviks and Bolsheviks represented two fractions of the Russian Social-Democratic Labour Party established in 1898 in Vienna. After the February revolution, the Bolsheviks organised their own party, the Russian Social-Democratic Labour Party (of the Bolsheviks), since 1918 — the Russian Communist Party (of the Bolsheviks). After the establishment of the Soviet Union the party was renamed into the All-Union Communist Party (of the Bolsheviks) since 1925, and since 1952 — the Communist Party of the Soviet Union.

Meanwhile, similarly to the establishment of the Provisional government in Russia, in March 1917, Ukraine formed its own government, the Central Council. More than half of its delegates (57-58%) represented the all-Ukrainian Soviets of workers, peasants and soldiers' deputies (Zhukovsky, 1984), yet, already at this stage of the revolution, the differences in the positions of the Ukrainian and Russian authorities were revealed, as the tide of nationalism was gaining traction in Ukraine.

Initiated by liberal political parties, the Central Council at once took a course for nation- and state-building, requesting Ukraine's autonomy, Ukrainisation of tertiary institutions, administration and army, and the recognition of the Council's authority (Levin & Drabkina, 1930). The Provisional Government smoothed out these demands by recognising the Ukrainian government an organ of the Provisional Government, yet limiting the Council's jurisdiction to North-West of Ukraine (the reflection of historical legacies) and cancelling the Ukrainisation of the army.

Both governments agreed to wait for the All-Russian Constituent Assembly to decide on Ukraine's status in Russia. For the same reason, both governments

kept on delaying the resolution of immediate issues such as warring in the WWI coalition¹¹ or the promised land reforms, which tarnished their authority and secured popular support for more radically oriented socialists (Stepanov, 2008: 82-3).

Without waiting for the opening of the All-Russian Constituent Assembly, which should have taken place on January 18, 1918, the Second all-Russian Congress of the Soviets of workers and soldier deputies declared the transfer of power to the Soviets on the 7th November (25th of October in the Julian calendar) effectively overthrowing the Provisional Government. The revolutionary attempt was also undertaken in Kiyv, but the Central Council managed to maintain its power there. In response, the Ukrainian Council proclaimed the establishment of the Ukrainian People's Republic as an autonomy in the Federal (not socialist) Republic of Russia (by the Third Universal of the Central Rada) and called for the elections to the Ukrainian Constituent Assembly for the 9th of January 1918 which was to be gathered in addition to the All-Russian Constituent Assembly.

Meanwhile, the Bolsheviks in Petrograd secured their majority in all newly established governing bodies and together with left SRs announced the date of the elections to the All-Russian Constituent Assembly. However, the outcomes of the elections took the Bolsheviks by surprise: the SRs won almost 50% of seats, while the Bolsheviks' share remained at a modest 23.5%. In Ukraine, the Bolsheviks gained only 9.17% of votes in contrast to the Ukrainian and Russian SRs, who gained 60% and 25% respectively:

¹¹ Russia remained part of the Entente coalition that included the United Kingdom, France and a number of other states fighting against the coalition of the Central Powers headed by Germany and Austria-Hungary.

Table 3.4 The composition of the All-Russian Constituent Assembly and the results of the elections in the former Russian empire and in Ukraine, December 1917

All-Russian elections (total 766)				Ukrainian lands (total 120)	
All-Russian parties		National parties			
SRs	374	Ukrainian SRs	81	Ukrainian SRs	71
Bolsheviks	180	Ukrainian Social Democrats	11	Russian SRs	30
Constitutional Democratic (kadet) party	24	Alash (Kazakh)	12	Bolsheviks	11
Mensheviks	22	Musavatists (Azerbaijanians)	10	National minorities	4
Socialists	5	Dashnaks (Armenians)	9	Ukrainian Social Democrats	2
Right	1	Zionists (Jews)	4	Constitutional Democratic (kadet) party	1
		Other socialists	8	Union of Landowners	1
		Autonomists and federalists	25		

Source(s): the results of the all-Russian elections are adapted from Protasov (2013), the results of the elections in Ukraine are adapted from Zhukovsky (1984a)

Notes: In Ukraine only 54 of the 79 electoral districts reported the results of the elections

Viewing themselves as the party of power, the Bolsheviks began to plan an offensive against the Constituent Assembly directly after the elections. When the Assembly finally gathered on the 5th January 1918, Bolshevik supporters alongside the soldiers and sailors with the support of the left SRs forced the deputies out of the building, launching the beginning of the Bolshevik takeover.

3.4. The Bolshevik takeover of Ukraine

In contrast to the civilizational and cultural explanations of the rapid Bolshevik takeover in Russia, the Bolshevik victory came largely as a result of their party institutionalisation (this was despite rather than because of Russian imperial bureaucracy) prior to the Russian revolution and effective decision-making in its duration. The Bolsheviks won in the capital and big cities and consolidated the

active core of Russian population around the soviets, instantly securing their power after the October revolution.

The fact that the Bolshevik movement in Kiyv was not as popular as in Petrograd allowed the Central Council to maintain its authority in the capital. However, by the end of the year, 'the power of the Central Council in all major centres existed only nominally. Kiyv did realise [the situation] but couldn't help [it] anyway' (Doroshenko, as cited in (Alekseev, 1930: 79). The revolution as an event was gaining speed and momentum.

The Bolsheviks penetrated the already existing network of regional soviets and local peasant organisations (including Ukrainian *hromady* and *zemsva*) (Goshulyak, 1994). They invited representatives of other political forces to join the communist party (Frolov, 2008: 186-7). On 12 December 1917, the Bolsheviks declared the Soviet Ukrainian People's Republic in Kharkiv; during December 1917-January 1918 local communists proclaimed Soviet Republics in Odessa and Donetsk-Krivyi Rih basin. All three projects reflected a sense of cultural sentiment shared by local peoples and the industrial boom experienced in these regions during the Russia's industrialisation.

The key problem of Ukraine's nation- and state-building at the time was that the idea of Ukrainian nationhood (promoted by the Council) found no support among the general public. Although Ukrainian parties won 60% of votes, which indicated that local peasants tended to support Ukraine's autonomy and thus shared some sort of national sentiment, their support was passive. Peasants did not understand the nature of the on-going rapid transformations and cared more for social rather than national liberation. Their vote generally neglected political parties and the *intelligentsia* and was based on support for people of their own social background and place of origin (Matvienko, 2014). The Ukrainian parties won mainly in the agricultural regions of the Northern Ukraine (Podillya, Kiyv, Chernihiv) (Mel'nyk, 2010), while the industrialised South-East quickly came under the Bolshevik control, because the Russian political parties focused on the city electorate. Therefore, during the discussed turmoil, Ukraine quickly fragmented into a patch of distinct communities, which revealed the degree of reproduction of previously existing social structures; namely, historical regions.

With this background, the ability to mobilise people became crucial. Whereas the Bolsheviks managed to gather 100 thousand supporters among the

local population, the military minister of the newly declared independent Ukrainian People's Republic (declared by the IV Universal of the Central Council on January 22, 1918) managed to gather at best 15 thousand people (Tantsyura, Kulish, & Peresada, 2014: 360).

Also, the Bolsheviks performed as a united front under the leadership of the Russian comrades. The diverse local squads of Bolshevik supporters were united into one Workers' and Peasant' Army (or the Red Army) that acted as one in both Russia and Ukraine. Since 1918, the Communist Party (Bolshevik) of Ukraine, or the CPU(b), also became an integral part of the Russian Communist Party (Bolshevik), or the RCP(b).

Moreover, the Bolsheviks realised the importance of propaganda at a time of the conflict. The Bolsheviks seized upon popular slogans such as 'Land — to the peasants, factories — to the workers, power — to soviets!' well-known prior to the October revolution. The Bolsheviks had their representatives in all local soviets. A total circulation of Bolshevik Pravda together with other communist newspapers was of about a hundred and sixty thousand copies (Luk'yanchikova, 2010), while the Central Council had 'not even issued a ... countryside newspaper' (Goshulyak, 1994: 39).

Unlike the Central Council, the Bolsheviks also had some achievements to propagate. The Second Congress of the Soviet of Workers', Soldiers', and Peasants' Deputies had issued the Decree on Land that aimed at redistribution of land and the Decree on Peace that promised to stop Russia's participation in World War I the same day the Provisional Government was overthrown. The respective Decrees were circulated at once (Ganzha, 2000). In contrast, the Central Council adopted the law on land already when the Bolshevik troops broke into Kiev on 26 January 1918 (Vytanovych, 1967).

Therefore, it was no accident that the Ukrainian government could survive the first Bolshevik offensive only due to external support. Moreover, during this critical juncture external support became a crucial factor for the outcomes of political struggle and Ukraine's emerging as a nation-state.

The alteration of political regimes in Ukraine derived from the balance of political preferences among the key warring parties of World War I. After the Entente coalition chose to support the pro-monarchical White Army, the Ukrainian

government that needed to fight against both the Red and the White Armies was forced to seek support with the Central Powers.

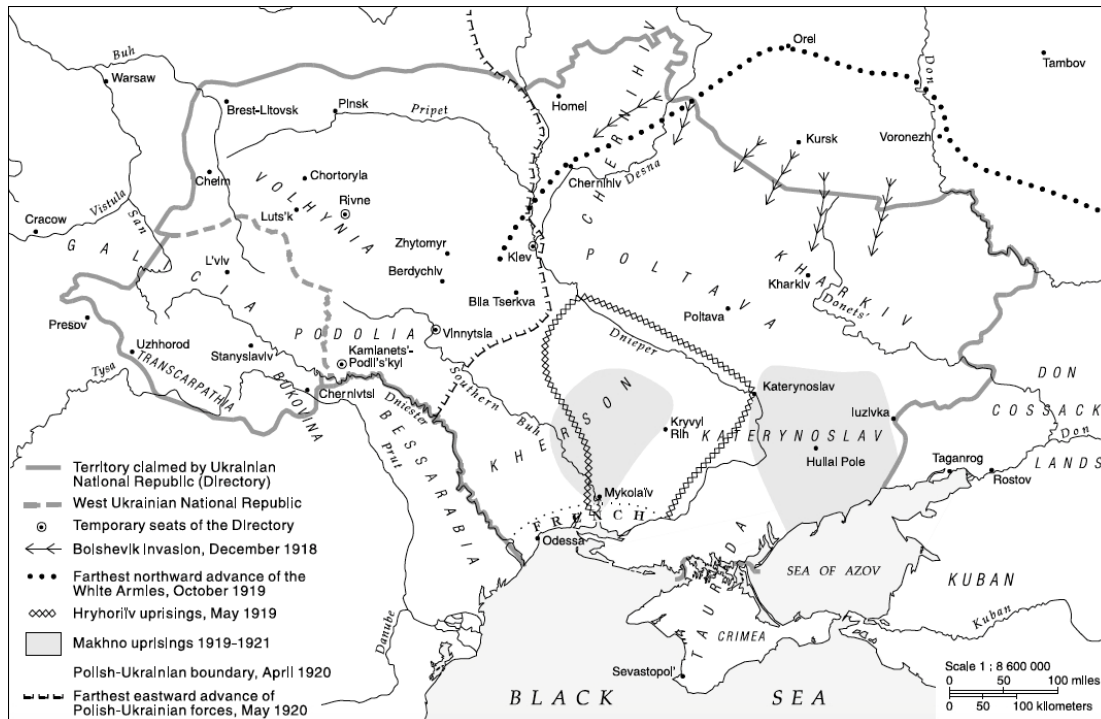
On February 9, 1918 the Ukrainian Central Council and the Central Powers signed the Treaty of Brest-Litovsk. The German and Austrian forces wiped out the Bolshevik troops from Ukraine, and a peace Treaty of Brest-Litovsk signed between the Central Powers and the Bolsheviks on March 3, 1918 confirmed Russia's renunciation of its claims over Ukraine.

The Central Council continued its national-socialist policies under the German protectorate, yet it also had to sustain a food supply for the German army, which faced severe resistance of local peasantry (Kul'chytskyi, 1999). The Council's failure to live up to its obligations led to the German officials replacing the Central Council with the regime of general Skoropadsky, who declared himself the Hetman of Ukraine (April 29 - December 14, 1918). Skoropadsky continued the course for Ukrainisation and militarisation, yet his return of private ownership and the landowners in the province led to social discontent among Ukrainian peasantry (Pyrig, 2010).

Meanwhile, the support by the Central Powers also came to its end, as they got mired in their own revolutions. Austria-Hungary was falling apart, with Poland declaring its independence in October 1918 and the Ukrainians establishing the Western Ukrainian People's Republic on the territories of Galicia, Bukovina and Transcarpathia.

In Skoropadsky's Ukraine, the former members of the Central Council government (including the head of the former government Vinnichenko and the military chief Petliura) formed the Directory and in December 1918 overthrew the Skoropadsky's rule. Political transformations once again reversed towards expropriation of property, government control of economy, and deprivation of non-working class of their rights (Rumyantsev, 1996).

It was during this period that the Ukrainian People's Republic (independent since 9 January 1918) and the Western Ukrainian People's Republic (formed on the remnants of Austria-Hungary) signed the Unification Act on 22 January 1919 and finally established a united Ukraine. Yet this act was more symbolic than practical, because the new state entity did not survive long in the face of external pressures: the launch of the second Bolshevik offensive, the occupation of Southern Ukraine by the Entente forces and the advance of the Polish army:



Map 3.5 Ukraine in 1918-1920

Source(s): retrieved from Magocsi (2010: 582).

In addition, the leadership of the Directory split, as its supporters among radically oriented peasants and workers could not find consensus with capitalist-oriented administration (Gai-Nyjznyk & Leiberov, 2013: 63), while a number of distinct rebel groups led by local atamans (analogous to Hetman in the meaning of a military leader) went beyond the Directory's control.

The Directory's attempt to stop the third Bolshevik invasion in winter 1919-1920 ended with Petliura's conducting a peace deal with Poland (the Treaty of Warsaw dated on 24 April, 1920), ceding the territories of the Western Ukrainian People's Republic in exchange for Poland's support in anti-Bolshevik military campaign. Clearly, such move was viewed as treachery in Western Ukraine, and the warring years of 1919-1920 turned into *a war of all against the all* — the culmination of the reinforcing relationship between event and action.

Eventually, there remained only three military forces to be reckoned with: the Soviet Red army, the Polish Army and fragmented domestic anarchical movements. However, after the Soviet-Polish war (January 1919-March 1921) ended with the Treaty of Riga on 18 March 1921 and Ukraine survived a series of

interventions by foreign powers, the Red army faced only a number of local military groups.

Therefore, the establishment of the communist regime on the remnants of the Russian empire became possible due to a number of reasons, least of them being structural constraints. The nineteenth-century Russian empire lacked liberal experience, but it already began to follow the Western-like pace of liberalisation. Similarly, the development of the Little Russian identity points to the appearance of national sentiment in its territories, representing a symbiosis of historical legacies and political diffusion caused by modernisation.

In this regard, the sequencing of Russia's modernisation may be considered a more determinant factor for the outcomes of the revolution than the structural constraints, because Russia's participation in World War I disrupted the evolution of reforms that began with the 1905 revolution. The course of the Provisional Government to continue war became a crucial factor that undermined its support among the public. The tsarist legacies of strong socio-economic disparity and national quest also came in play in both Russia and Ukraine.

As the policies by the Ukrainian governments reveal, all (except the Hetmanate) followed the course of socialisation of property and governmental control, even upon having no clearly defined concept of socialism (Vytanovych, 1967: 33-4). With this background, the establishment of illiberal regime in post-revolutionary Ukraine may be considered a rule rather than exception, yet not only in the context of Ukraine's historical legacies but also in the context of the first wave of democratisation.

The key difference in the quality of Ukrainian political regimes refers only to whether these regimes were nationalist (Ukrainian) or not. Yet even this factor derived from political context of the event. Thus, in May 1920, the Directory ceased to be a collective body and turned into a one-man regime ruled by Petliura. Similarly, the establishment of the communist rule and its policy choices were an outcome of agent-driven factors. The next section elaborates on how the communist regime consolidated itself and set a path for its reproduction.

3.5. Consolidation of the Soviet rule in Ukraine

By the beginning of 1921, the system of governance in the former Russian empire was practically demolished, and the two forms of governance were competing on the ground: the newly established soviets that backed the Bolshevik rule and local ataman movements established in line with the Cossack tradition. Whereas during the first Bolshevik invasion in 1917-1918, most Ukrainians did not actively engage in anti-communist struggle or even supported the Bolsheviks (Skorokhod, 2009), throughout the 1920s warring period the conflicting parties exploited the peasantry, which reversed their attitudes.

The Bolsheviks introduced a policy of war communism, based on the withdrawal of grain surplus wherein the peasants were forced to supply a standard amount of food regardless of the quantity produced (Kotlyar, 2005: 20). State procurement at a fixed (almost nothing) price urged those peasants who had a surplus to hide their grain. In response, the Bolsheviks launched forced food requisition. Not surprisingly, the first anti-communist revolts broke out in Central Russia in 1918 and in Ukraine in 1919. Yet being in fact hunger revolts, these uprisings lacked leadership.

On the other side, the Bolsheviks immediately began to consolidate their power. In 1919 the RSFSR and the Ukrainian SSR united their People's Commissariats, de facto subordinating Ukraine's internal affairs to the Russian Commissariat.

Whereas the February revolution spurred Ukraine's national awakening, the October revolution prompted the establishment of numerous Ukrainian communist parties — nationalistic socialist and communist movements promoting the idea of a socialist Ukraine. In 1918 the Ukrainian Communist Party (*borotbystiv*) formed after the split of the Ukrainian Social-Revolutionary Party with the idea to promote Ukrainisation in order to fit the Bolshevik revolution to Ukraine's needs and thus develop some kind of Ukrainian communism. In contrast, the demands of the Ukrainian Communist Party (*ukapisty*) formed in 1920 were more nationalistic: they included Ukraine's political autonomy, recognition of Ukraine's sovereignty and were based on the critique of the CPU(b) for its affiliation with the RCP(b). As such the idea of a socialist Ukraine not only created a potential line of divide between urban Russian and rural Ukrainian revolutionaries, but it also posed a

threat to the authority of the CPU(b) whose power in Ukraine remained weak (Kafars'kyi, 2007; Yefimenko, 2012).

In response, the CPU(b) monopolised power at the cost of non-communist political forces and the acquisition of various leftist and national currents. The Party was purged from the non-communist element and with the aim to maintain an appropriate class ratio (Zhuravliov, 2000). Whereas the share of the party members with non-Bolshevik backgrounds in the CPU(b) peaked at 30% in summer 1920, it had already decreased to 8.9% in 1922 (Frolov, 2008: 186-7), with the representatives of the former national-communist parties barely passing the 4% threshold (Frolov, 2002: 45).

Meanwhile, the lack of Bolshevik authority across the vast territories of the former Russian empire and in Ukraine was obvious. During 1921-1922, around 120 thousand members of the Bolshevik troops were brought into Russian Tambov, more than 56 thousand into Ukraine and 12 thousand into Russian Karelia to suppress anti-Bolshevik revolts (Plekhanov, 2006: 353). Whereas the Bolsheviks managed to strengthen the communist party, they still needed to pacify the people by meeting at least some of their demands.

The first Bolshevik concession resulted in the launch of *korenizatsiya* (or indigenisation) — the policy that aimed at establishing a positive image of the communist party by means of engaging local nationals into the political process. Although this policy was a concession to the nationalist mobilisation that had been spurred during the revolution, Soviet leadership viewed *korenizatsiya* as a temporary solution to ‘pacify’ national communists and promote party monopolisation (Lenin, 1974a: 335-7).

Korenizatsiya (in Ukraine — Ukrainisation) fell in line with Lenin’s perspective of nationalism permitting a degree of cultural autonomy but no stake at *bourgeois* self-determination (Soviet nationalist policies will be discussed in more details in Section 3.6.4). Ukrainian language and culture were promoted at all state levels to demonstrate the connection between the party and the people. Cultural indulgence and as yet an absence of outright censorship allowed the regime to cooperate with the Ukrainian intelligentsia.

Korenizatsiya also motivated Ukrainian communists to split from their native parties and join the CPU(b). Between 1922 and 1933, the number of members of

the CPU(b) increased by almost 11 times, the share of Ukrainians grew from 23.3.% in 1922 to 60% in 1933 (Liber, 1992). In 1927 Ukrainians constituted 10.7% of members of the AUCP(b), second only to Russians who composed 66.7% of its members (American Library Association, 2016: 6).

Simultaneously, Lenin emphasised the need for an alliance with peasantry, which demanded 'the replacement of food requisitioning with tax in kind' (Lenin, 1921). The introduction of this tax motivated the increase in production and trade and became the second key concession of the Bolsheviks. Along with the achieved economic growth, the new economic policy (NEP) was also used for the socialisation of property through local land communities reformatted into communist-like cooperatives (Kotlyar, 2004) and elimination of class inequality through redistribution of income. Yet the outcomes of the policy were the opposite to the expected ones, as the growth in the market led to the growth of large and medium peasantry (Lazurenko, 2010: 215).

At the end of the 1920s state authorities found themselves in a position of the need to choose between continuing the course for the NEP and related liberalisation of economic activities or pushing for a more stringent administrative control. In practice, this dilemma was resolved in favour of the second option, as indicated by Soviet policies after the death of Lenin in 1924.

Stalin's course for mass collectivisation, forcible industrialisation and the advance of planning became the crucial features of the departure from the NEP. Whereas industrialisation and planning will be discussed in more details in Section 3.6.2, collectivisation has become the key tool for the consolidation of the Soviet rule in the USSR and, especially, in agricultural Ukraine.

More than 3 million peasants in the Soviet Union participated in the anti-collectivisation struggle during 1930. By the end of 1931, 923 out of the 1630 uprisings in the Soviet Union had occurred in Ukraine (Ganzha, 2003: 246), not least because most of agricultural property there was in individual ownership prior to the revolution (p. 64 of this chapter).

In 1932, peasants disrupted the gathering of the harvest. Instead of conceding, the officials withdrew peasants' documents, bounding them to agricultural works. The authorities also increased the tax in kind and introduced food requisition as a penalty. The resulting shortage of grain led to a severe famine in Ukraine, Central Russia and Asia. According to various estimations,

approximately 3-5 million people died as a result in Ukraine and about 5.5-8.5 million in the whole of USSR (Davies & Wheatcroft, 2004: 401; Ellman, 2005). The famine of 1932-1933 is also sometimes viewed as a purposeful genocide of Ukrainian people.

Indeed, both anti-peasant collectivisation and anti-nationalist policies undertaken by Stalin occurred simultaneously; however, whether this proves that the anti-peasant and anti-nationalist policies were in fact anti-Ukrainian remains debatable (Soldatenko, 2011). On the one hand, Stalin viewed the 'local nationalism' as a threat of 'bourgeois nationalism' that had to be suppressed (more information on the issue is in Soviet national policies) (Stalin, 1936). On the other hand, oppression of the *less conscious* peasantry as a class was a first priority in increasing the worker class among the population.

As early as the 1917 Russian Congress of Soviets, one deputy from the city council represented a vote of 25 thousand voters, while one from provincial councils represented 125 thousand residents. The same ratio was preserved in the later-formed Soviet Union, as the 'ratio 1 to 5 allowed the deputies of the workers not to 'sink' among the deputies from the less conscious peasantry' (Zhuravlev & Fortunatov, 2013).

Also, Marxist theory described the accumulation of capital through the expropriation of peasantry. Thereby, the offense against the peasantry was inevitable, while forcible collectivisation and the famine resulted in the dramatic increase of the share of collectivised households from 23.6% to 89.6% within the six-year period of 1930-1936 (Nove, 1992: 125, 174).

Finally, since the formation of the Soviet government, its interpretation of the dictatorship of the proletariat justified the policy of mass terror against all the enemies of the communist regime. The first wave of terror was launched during the civil war and the policy of war communism. The second wave of 1929-1934 followed the death of Lenin and included the victims of collectivisation and political purges for 'counter-revolutionary activities', the victims of the 1932-33 famine as well as political purges against the revolutionary elites (Zemskov, 1995). In Ukraine, this period demonstrated a visible shift from *korenizatsiya* and Ukrainisation to Russification and Sovietisation. Finally, in 1936-1938, the Great Terror purged all the remaining *elements* that were potentially dangerous to the

regime (party and government officials, peasants, leaders of the Red Army), followed by Stalin's individual-scale purges (Magocsi, 2010: 496-7). The numbers of victims of Stalinist repressions vary across sources but on average are approximately 20-25 million people who were imprisoned, exiled or executed (Politdrug, 2015). In this regard, the Great Terror may be viewed as a final step in the consolidation of the communist regime in the Soviet Union and Soviet Ukraine.

Yet along with 31 million Ukrainians living in the Soviet Union before World War II, another 6-7 million, or approximately 16-18% of the total Ukrainian population, lived in East Central European countries (map below), where the political regimes were very different from the one in Soviet Ukraine.



Map 3.6 Ukraine in 1923

Source(s): retrieved from Magocsi (1996: 560)

The majority of Ukrainians in East Central Europe lived in Poland (around 4-5 million), which had temporarily evolved into a parliamentary democracy and allowed national minorities to have a political representation in the parliament. A number of Ukrainian political forces seeking Ukraine's independence appeared, and only socialist and communist parties (banned in 1924) supported the unification with Soviet Ukraine at the time (Magocsi, 1996: 635-6). The remaining Ukrainian parties in Poland comprised liberal-democratic parties (such as the Ukrainian National Democratic Alliance established in 1925) or more radical-

oriented movements such as the Organisation of Ukrainian Nationalists (OUN), which adopted terror and sabotage against the Polish government (Crampton, 1997: 50).

The opposition between the Ukrainians and the Polish regime was the main unifying aspect for all the Ukrainian political groups in Poland. The extent of national and economic oppression experienced by the Ukrainians was comparable to a “regime of terror” (Kubijovyč, Pasternak, Vytanovych, & Zhukovsky, 2014), while reinforced Polonisation and Catholicisation prompted local resistance (Kravtsiv et al., 2016). The Pilsudski’s coup d’etat and Poland’s decline towards authoritarianism further radicalised Ukrainian ‘revolutionary nationalists’. In 1930, 2200 acts of sabotage against the Polish estate were recorded in Galicia (Subtelny, 2009: 430), and the officials responded with the military *pacification* against the OUN including the oppression of the Ukrainian population.

In the context of anti-democratic developments in Romanian (monarchical dictatorship was established there in 1938) and Polish Ukraine, the only pre-World war Ukrainian-populated territory that enjoyed a relatively durable liberal rule was Transcarpathia, an autonomy in Czechoslovakia (Magocsi, 1996: 645-9).

However, after Germany partitioned Czechoslovakia in October 1938 and divided Poland with the Soviet Union in September 1939, Stalin quickly established the People’s Assembly of Western Ukraine. In October 1939, the Assembly adopted a declaration on the establishment of the Soviet regime in Western Ukraine and its unification with Soviet Ukraine. In 1940 the USSR compelled Romania to concede Bukovina and Bessarabia; in 1945 Transcarpathia joined the Ukrainian SSR.

However, in contrast to the former Russian empire, socio-political movements in Western Ukraine were organised, while Soviet repressions against the non-communist political leaders and especially the Church (Magocsi, 1996: 663) was met with severe resistance. In the wake of Germany’s attack on the Soviet Union on 22 June 1941, the OUN declared its intention to establish an independent Ukraine with a capital in Lviv and ended up with a tactical alliance with Nazi Germany against Soviet Russia. However, in July 1941, the German officials began the prosecution of the OUN command and, by autumn 1941, disbanded the Ukrainian National Council (Magocsi, 1996: 670-2).

In 1942, the Ukrainian Insurgent Army (UPA) began to form under the aegis of the Ukrainian People’s Republic in exile with the support of OUN(b) and

OUN(m) groups (headed respectively by Bandera and Melnik). The resulting OUN-UPA functioned as a set of discreet squads that fought Germans, Poles (including taking part in ethnic cleansings) and Soviets alike. The guerrilla tactic of this army led them to conduct an armed struggle against the Soviet regime as late as 1948-1949, with some squads surviving until 1954 (Sodol, 1993). As a result, the Soviet regime was established in Western Ukraine (particularly in Galicia) only by means of 'armed struggle and repressions of local population' (Pavlenko, 1999: 161).

Altogether the above-discussed demonstrates that pre-communist legacies were important to the character of the established communist regime (corresponding with Kitschelt's (2003) respective argument), while institutional factors and the role of agency determined the character of the respective institutional transformation. Thus, the absence of institutions that could channel social demands in pre-revolutionary Russia resulted in political chaos after the revolution, while the Bolsheviks proved to be the only political agents capable of institutionalisation by establishing state institutions in the image and likeness of the communist party. In this regard, the Russian revolution may be seen as the clearest example of an event-based critical juncture that led to the establishment of the communist regime in Ukraine and produced a unique institutional path.

3.6. The patterns of communist rule and its developments in Ukraine

This section describes political and economic institutions formed under Soviet rule, revealing the impact that communist rule had on political culture and national policies in the USSR and Ukraine.

3.6.1. The party-state and the character of political regime in Soviet Ukraine

As the previous sections have demonstrated, prior to the communist takeover Ukraine lacked durable experience of statehood. Its borders were constantly changing; its people were subjected to Polonisation and/or Russification; its attempts at self-administration were taken over by imperial authorities. It was not

until the establishment of Soviet Ukraine in the aftermath of the Soviet victory in World War II — with all the historically Ukrainian regions finally gathered as one state entity — that Ukraine came to be regarded as a single state.

According to the Soviet Constitution of 1936 Ukraine was a sovereign Republic (article 15), while the Soviet Constitution of 1977 confirmed the right of the Ukrainian SSR to leave the USSR at any moment (article 72). However, Ukraine was de facto bound to its communist party, while the communist party of Ukraine had been an integral part of the communist party of Russia (during the period from 1918 to 1922), and of the Soviet Union since 1923. Therefore, although the USSR was formally a federation of socialist republics, the Russian-backed communist party penetrated the governmental structures of the Soviet Union.

The Soviet people delegated power to the elected local soviets that sent their delegates to the territorial and regional congresses. At regional congresses, the delegates to the Republican Congress were elected. Finally, members of the Republican Congress constituted the All-Union Congress (since 1938 — the Supreme Soviet of the Soviet Union that consisted of two houses: the Soviet (Council) of the Union and the Soviet of Nationalities). According to the 1922 Treaty on the creation of the USSR, the All-Union Congress established the Supreme Court and the Central Executive Committee, which elected its Presidium (legislative body) and the Council (Soviet) of People's Commissars (an executive body renamed as the Soviet of Ministers in 1946).

Although the Congress represented the supreme body of the USSR, it convened only once a year, its successor the Supreme Soviet gathered twice a year, the Central Committee met up three times a year — oftentimes for a week or two only. Therefore, in the period between the sessions, the legislative and executive power de facto belonged to the Presidium and the Commissars (later on, these powers belonged to the Ministers) of the Soviet Union, while their decisions were obligatory for all the republics and their citizens.

Each republic of the USSR (including Ukraine) had its own Congress, Executive Committee, and Council of People's Commissars etc., but their functions were subordinated to the Decrees of the central bodies in Moscow.

Although the above description explains the highly centralised structure of the USSR, it does not clearly establish how the All-Union Congress was actually a party-state and not a parliamentary democracy. In order to explain that the latter

was indeed the case, it should be noted that the Bolshevik takeover occurred under the diminished stateness of the collapsed Russian empire and equally diminished political competition. As was demonstrated in the previous section, the Bolshevik military success in the 1920s allowed them to launch the political and economic monopolisation, whereas mass terror and political purges accomplished the demolition of the opposition by the mid-1920s in former Russian Ukraine and by 1950s in Western Ukraine (Bandera was killed by Soviet security forces in 1959).

Western Ukraine featured in a strong nationalist sentiment reflected in the support to the Ukrainian language and the Church (especially the Uniate Church) as part of the Ukrainian culture. This resulted in the oppressive policies of the communist regime which deprived the Church of institutional manifestation and increased the government's authority over the Church (Volynets, 2003: 5). As opposed to the expected subjection, this spurred the move towards the preservation of the Ukrainian culture as the constituent block of the Ukrainian identity.

Nevertheless, this did not extend to Ukraine as a whole, and, although the Church remained an informal authority in the west of the country, the communist party was the only acting political force that could induce the system of governance with its own representatives. Furthermore, post-war restoration of Ukraine and subsequent de-Stalinisation during the Khrushchev *thaw* pacified nationalist moods with the return of Ukrainisation.

Meanwhile, the governmental structures of the Soviet Union replicated those of the communist party. The informal interlacement of the Party and state into a party-state was reflected through the fact that the prominent communist leaders simultaneously held top positions in the party and state apparatus. The iconic leader of the Russian revolution Lenin was the Chairman of the Council of People's Commissars of the Soviet Union (1922-1924). After his death, Stalin began a political takeover by promoting visible members of the communist party to his stronghold, the Party Secretariat, which became the main governing body on the day-to-day basis.

While remaining the General Secretary of the CPSU during 1922-1953 (until his death in March 1953), in 1941 Stalin also became the head of the Soviet government (the Soviet of People's Commissars, renamed in the Soviet of Ministers in 1946), proving that the Secretary of the CPSU was also a formal leader of the USSR. Khrushchev confirmed the tradition by becoming the Secretary of the CPSU

in 1953 and then the Chairman in the Soviet of Ministers in 1958. Finally, Brezhnev established a custom for the political leader of the Soviet Union to hold simultaneously the positions of the First (since 1966 — the General) Secretary of the CPSU and the Chairman of the Presidium of the Supreme Soviet of the USSR. Importantly, both Khrushchev and Brezhnev made their political career in Ukraine and, together with a number of other party members, enjoyed a visible degree of trust and power in the Soviet party-state system.

Since not 'not an important political or organisation issue was solved by state bodies ... without the guidance of the Central Committee of the Party' (Lenin, 1974b: 1), the members of the communist party (and in particular of the Political Bureau, the Organisational Bureau and the Party Secretariat) de facto constituted new political elites, and Ukrainians were an integral part of those elites.

The party-state control was exercised through a broad network of communist party organs that allowed penetration of state institutions at all levels of Soviet governance. The Party disseminated its power through local Soviets as well as through non-party workers and peasants' conferences, whose best representatives were promoted to government positions. The Party relied on a broad network of labour unions, which nominally consisted of non-party members but de facto were managed by the All-Russian Central Soviet of the Labour Unions, composed only of communists (Lenin, 1974b: 2).

While remaining formally invisible, the communist party de facto penetrated all levels of socio-political and economic life, with its informal presence becoming more important than the work of its formal institutions. On the surface however, the party-state rule made it appear that the officially declared political system had no relation to the communist party. Thus, the Constitutions of 1924 and 1936 merely drew parallels between the Soviet Union and communism, declaring the USSR a 'socialist' state (socialism in the USSR was proclaimed in 1936), and only Article 6 of the 1977 Constitution declared the Communist Party 'the core of its [Soviet] political system, the state and public organisations'. Such a prevalence of informal rules over formal institutions became a crucial legacy for Ukraine's post-communist transition and, as will be revealed in Chapter 4, for the establishment of a hybrid regime there.

The elections introduced by the communists had no real impact on the political situation of the country, because the voting system and the strategy applied

by the communist bloc left no real alternatives. The so-called communist-independent bloc promoted only one single candidate per district, which under conditions of the majority voting system, turned the elections into a gamble on whether the people supported this one candidate or not (Zhuravlev & Fortunatov, 2013).

The party leadership controlled political mobilisation by practically selecting the members of the party who were to be promoted through the so-called *nomenklatura* system. Being a central element of the Soviet political system, the *nomenklatura* formed the core of Soviet elites through 'political recruitment'. On the one hand, the *nomenklatura* list included acting 'incumbents in political and administrative offices', while, on the other hand, it included potential appointees, or 'reserve for promotion' (Harasymiw, 1984: 154).

The recruitment model spread beyond the list of party members to the positions of the heads of collective households, newspaper editors and even religious organisations (Voslenskiy, 1991b). Collateral to the communist party bodies, such as soviets, trade unions, and komsomol had similar lists of their own (Harasymiw, 1984: 157), and all members of the *nomenklatura* had to implement the directives of the party without questioning (Hill & Löwenhardt, 1991). Eventually, those officials who held the office through this recruitment system evolved into a political class of bureaucrats, socialised with communist practices through monitored professional growth and ideological work (Harasymiw, 1984: 158).

The growth of the *nomenklatura* sometimes produced challenges for Soviet leadership. For example, Khrushchev, who initially managed to withstand the pressures of the *nomenklatura*, attempted to stop the uncontrolled growth of the central party apparatus by redistributing political power in favour of the regional elites (Lystsev, 2007: 21). However, the insecurity he had caused with his policies and the related 'resentment' among the *nomenklatura* elites 'contributed to Khrushchev's downfall' in 1964 (Hill & Löwenhardt, 1991: 234). It could be said that the dictatorship of the *nomenklatura* replaced Stalin's one-man-ruled regime and became a party-rule in its complete sense under Brezhnev (Voslenskiy, 1991a). In this system, Ukrainian elites were part of the *nomenklatura* and viewed themselves as important if not equal players in the party apparatus.

3.6.2. The nature and structure of the socialist economy

The dictatorship of the proletariat, which, with time, evolved into the dictatorship of the nomenklatura, implied the spillover of political monopolisation to other spheres of social life including the organisation and functioning of the economic system. Communist ideology and party-rule together with the construction of economic institutions on the basis of state and collective ownership and a strongly centralised system of economic relations based on planning constituted the core of the Soviet economic system.

Party monopolisation and state centralisation set up the main mechanisms for party control over the economy. Nomenklatura appointments to the key executive positions in the economic sector allowed respective party organs to ensure compliance with the communist ideology. Moreover, local or regional party authorities settled the disputes between enterprises and the state administration, because the CPSU was de facto the highest authority in the state. The management of large enterprises was run directly by central authorities (ministries) and party organs from Moscow (Lavigne, 1999a: 6).

The territorial-production principle embedded in politics was introduced in economics. A network of industrial departments (*Glavmetal*, *Glavelektro*) was established to plan and control industrial output in specific sectors along with regional and republican Councils of National Economy. Trusts subordinated to Supreme Council of National Economy united individual enterprises (Nove, 1992: 92), forming the basis of a future planning system and resembling the system of party control through local organisations.

While the state needed such organisations in order to bring demand and supply together due to the absence of market institutions (Lavigne, 1999a: 6), state agencies (State Banks, Pricing Committees) also promoted socialisation of economic activities. In 1917 the Supreme Council of National Economy was set up as ‘an organ of the national economy and state finance’ and de facto implemented nationalisation of industry, banking, and foreign trade during war communism (Nove, 1992: 44).

Although the afore-mentioned developments already included some elements of economic planning, the establishment of socialist economy as an administratively planned economy did not happen overnight. Whereas the state

Commission for planning (*Gosplan* in Russian) had been established on 21 August 1921 and was subordinated to the Council of Labour and Defence (evolved into 'state planning commission' by 1923), *Gosplan* had not been initially established as an organ of compulsory planning. To the contrary, its work was to balance the accounts and plan economic growth. Only the launch of mass collectivisation in 1929 indicated the retreat from the NEP which was still officially operational in 1931 (Nove, 1992: 96, 133, 157).

The decisive abolition of the market under Stalin was also an indication of the accomplished consolidation of communist rule. Whereas the ideological promise of Marxism suggested that a communist society could be developed only on the basis of a capitalist society (which the former Russian empire was not), accomplishing modernisation was vital for the Soviet Union in geopolitical context.

By that time, the economic success of the NEP paved the basis for Soviet modernisation. In 1928 economic growth of the USSR had reached if not exceeded its 1913 level (Markevich & Harrison, 2011) due to accelerated investment in industrialisation. The increased migration to the cities doubled the number of people working in the heavy industry (Davies, 1994: 16), but economic growth correlated with the transition to the planned and centralised economy.

In 1927 the Congress of the Communist Party had declared the First Five-Year Plan (*pyatiletka*); in 1929 the implementation of the plan became compulsory; and although the state had been increasing pressure on the peasantry as early as 1926-1928, the peak of collectivisation fell on 1930-1933. It was during this period when the crucial features of the Soviet economy emerged and entrenched.

In parallel to the official state-regulated market, state policies of food requisition and price control led to the anchorage of a shadow market that had appeared during the civil war. Due to the maintained gap between market and state-determined prices — and, later on, between demand and supply — a shadow market evolved into a parallel economy based on corruption and large-scale theft of state property. By the end of the communist rule, the party nomenklatura collaborated with organised crime in the operation of this market (Lavigne, 1999a: 9-10), linking crime to economic activities and producing a legacy that would affect the flow of post-communist marketisation.

In parallel, the system of total planning turned individual enterprises into single units in the all-state planning system (Nove, 1992: 212). The five-year plan (*pyatiletka*) defined the strategic goals of the economic development, while annual, quarterly and monthly plans indicated the progress in its implementation.

Whereas planning per se is a natural component of any economic activity, Soviet planning was not only mandatory but it also reflected the highly centralised structure of the Soviet economy. *Gosplan* estimated all the resources available for the planned period and the quantity of goods that could be produced based on the existing facilities. It then disseminated production orders through the system of ministries and industrial agencies. This elaborate system required consideration of how much resources certain enterprises possessed and could provide to specific producers; it similarly required information on the distribution of produced goods and their pricing. Since distributed from the *centre* plans of production were based on the technological coefficients of optimal production, which was rarely optimal in practice (Lavigne, 1999a: 11), this planning system was extremely inefficient.

Even more crucially, in this economic system fulfilling the plan turned into the main indicator of successful management and was often reinterpreted as the single purpose of economic activity (Crampton, 1997: 250). The planning system devaluated the idea of entrepreneurship, because it replaced self-management with adherence to the plan. The obsession with ‘achieving’ and ‘overachieving the plan’ often led to ‘accounting fraud’, whereby the economic nomenklatura would fake production indicators in order to gain political credit for successful management (Harrison, 2011) — a practice which would be embedded in the economies of post-communist states as well.

Thus, the planning system could become a working solution only for mass production of highly-standardised and technologically undemanding goods, including for the requests of war or during the crisis. Yet the socialist system was failing in adapting to technological demands, introducing innovations or dealing with diversified economy. The negation of consumer demands was also a crucial feature of the Soviet economy, reflected in a deficit of goods during the 1970-80s.

While the Soviet economic growth of 1920-30s was achieved by means of industrialisation at the cost of agriculture, the post-war development of the 1950-60s succeeded due to the engagement of external resources (reparations, dismantled

equipment, the labour of the prisoners of war) (Figure below). Meanwhile, the course of action proposed in the 1970s was to pursue scientific and technological innovations, which required additional resources and proved to be a challenge for the socialist system. In the absence of external funds the economic growth slowed down (from 9.1% to 6.6% between 1956 and 1965), manifesting in reduction in capital investments (Orlov, 1987) and further drop of production. Structural problems of the socialist economy, such as its extensive character, fixed pricing, and production of nonsalable goods were revealed in their entirety (Ikhlov, 2013).

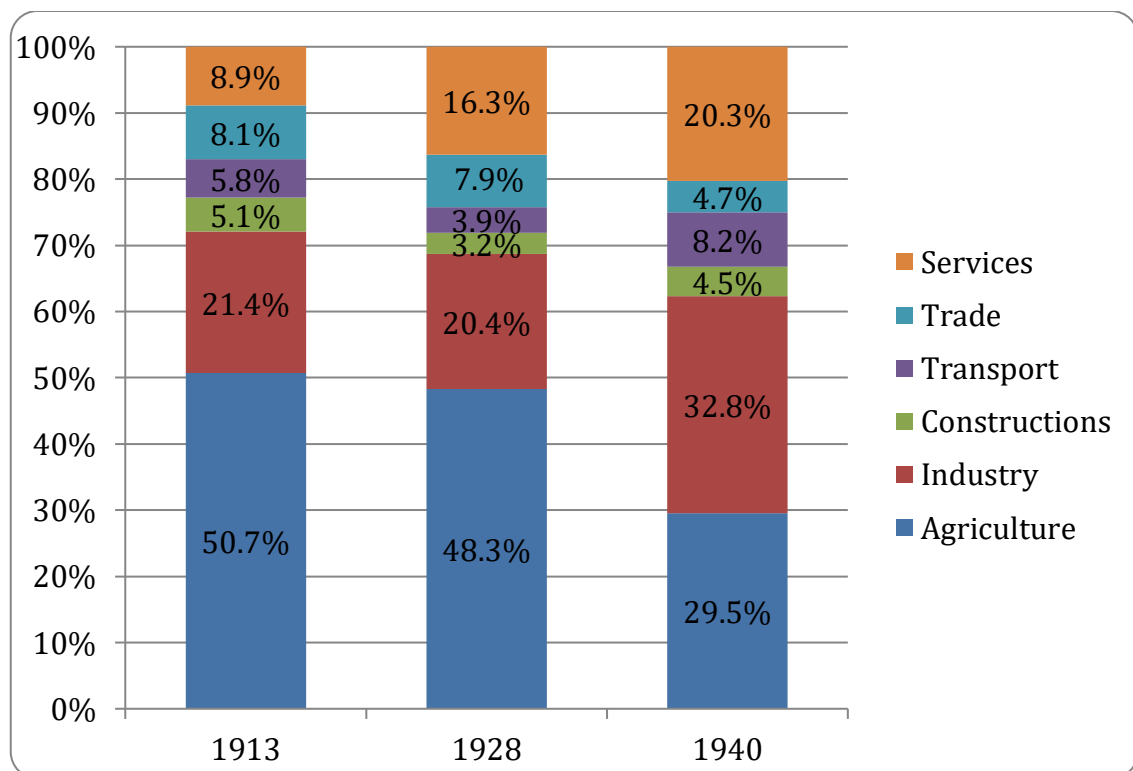


Figure 3.3 National income by sector of origin, 1913-1940 (% of net national product)

Source(s): adapted from Davies, Harrison, and Wheatcroft (1994: 272)

Some attempts at a solution were undertaken (for example, the Kosygin reform of 1965 that introduced some market elements to the planning system), yet none of them succeeded because the very system of planning denied the principles that were being introduced (Lavigne, 1999a: 12-3). Meanwhile, the absence of political reform denied socialist Republics, including Ukraine, any mechanisms for alternative political and economic development. As a result, although Ukraine was

one of the biggest Soviet economies (Table 3.5), it had little ability to affect its own economic transformation.

Table 3.5 Gross production of large-scale industry by regions, 1913-1939

	1912	1928	1933	1939
Russia	69.9%	73.5%	72.7%	74.1%
Ukraine	20.7%	18.6%	18.0%	17.4%
Belarus	0.7%	1.3%	1.9%	1.8%
Transcaucasia	7.0%	3.9%	4.4%	3.5%
Central Asia	1.8%	2.1%	2.2%	2.3%
Kazakhstan	-	0.6%	0.7%	1.0%

Source(s): retrieved from Davies et al. (1994: 301)

The lack of economic sovereignty was caused by the fact that the economy of the USSR represented not a network of different Republican economies, but a single body coordinated from one centre. The system of nomenklatura control and central planning made the Ukrainian economy just another level in the distribution of the central plan. Simultaneously, Ukraine was integrated in the Soviet economy through the system of economic regions and sectoral specialisation. In 1963, 20 economic regions were established in the Soviet Union, with 5 industrial regions as a separate category (Donbas among them), and Ukraine's economic specialisation in this map was set in accordance with its resource capacities:

- industrialised East, specialising in coal mining, metallurgy, machine-building and chemical industries (Koropeckyj, 1989);
- naval-oriented South with machinery-repairing factories and food-processing enterprises;
- and predominantly agricultural West with local oil and coal mines and specialisation in sugar and alcohol production (Woroby, 1981: 319).

The interaction of these specialised regions and individual big enterprises was coordinated by state Ministries (of Energy, Transport etc.) within the single planning system. In parallel, Soviet economic isolation also implied that most of Ukraine's trade would be located within domestic exchange. Whereas 87% of Ukraine's imports came from Russia (the main supplier of gas and oil for Ukraine's industries), 62.4% of Ukraine's exports went to Russia as well (Woroby, 1981: 318).

The logic of economic autarchism and central planning implied that foreign trade was necessary only for balancing the inaccuracies in the plan (to attract resources or release excessive production) (Lavigne, 1999a: 11), but such an overt interdependence became crucial for an extreme economic downfall that post-Soviet states experienced after the collapse of communism.

In the meantime, Ukraine remained the economic frontrunner in the USSR, and the Soviet leadership was even attempting at economic diversification there. However, Ukraine's economic boom, including the 7.1% economic growth in 1970-1975 (Koropeckyj, 1989), did not seem as impressive as it had originally been following a rigorous analysis. Although the share of the Ukrainian SSR in the total national income of the USSR constituted 16.2% in 1988 (in addition to 61% of Russia, 4% of Belarus, 4% of Kazakhstan etc.) (Bond, Belkindas, & Treyvish, 1990: 710), its GDP per capita lagged behind that of the Baltic Republics (Latvia, Lithuania, Estonia), Russia and Belarus and was lower than the USSR average (Figure 3.4).

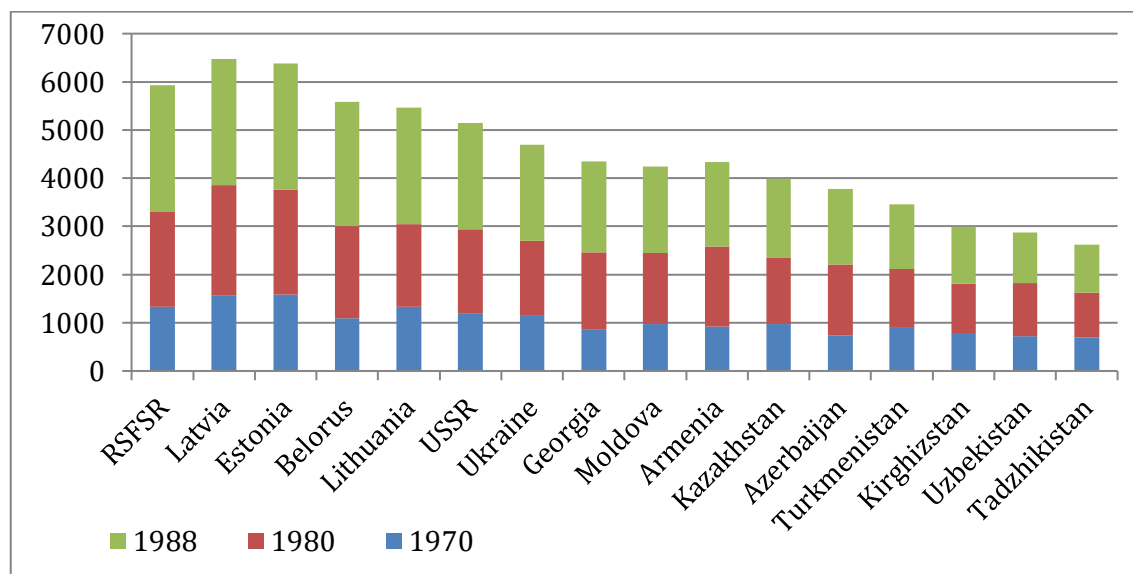


Figure 3.4 National income per capita among Soviet Republics (rubles), 1970-1988.

Source(s): adapted from Bond et al. (1990: 712)

One explanation for such a distribution is the difference in labour productivity. For instance, Ukraine's agricultural output per worker was 7.9 rubles in contrast to 8.8 in Belarus, 11.1 in Lithuania, 10.3 in Latvia and 12.5 in Estonia (Lerman, Kislev, Biton, & Kriss, 2003: 1004). Although Ukraine's agricultural and

industrial labour productivity was increasing throughout the 1970-1980s, it was still lower than in the above-mentioned Soviet Republics.

Soviet republics also differed in production and consumption of the national product. For instance, in 1988, Ukraine's production accounted for 102,500 mln rubles in current prices (Bond et al., 1990: 710, 712), while the utilised national income constituted 97,330 mln rubles (Bond, Belkindas, & Treyvish, 1991: 4-6). Thus, approximately 5.5% of Ukraine's national income was redistributed to other Soviet republics, and this claim of unfair distribution became one of the slogans in favour of Ukraine's independence in 1991.

Therefore, Ukraine's economic growth was extensive and resource-determined. Ukraine was a leading Soviet producer in the agricultural sector as well as in coal mining and black metallurgy, simply because it had the necessary resources. In 1985, Ukraine produced 52.9% of sugar; around half the number of total railway cars and iron ore; 35-40% of coal, steel and rolled steel; a third of televisions and bulldozers; as well as a quarter of machinery in the USSR (Koropecykj, 1989).

3.6.3. Socio-cultural changes in Soviet Ukraine: Soviet political culture

Under conditions of the complete dictatorship of the communist party, the communist ideology became a key determinant of all political, economic and socio-cultural transformations in the country. This ideology portrayed the communist party as a political force working towards the protection of the proletariat. It was expected that the proletariat would expand, and this took place. Soviet collectivisation and industrialisation, encouraged by price scissors, led to the outflow of peasantry from the province. In 1926, Ukrainians already composed 47.2% of the city population in the Ukrainian SSR, and urbanisation accelerated (Table 3.6). During the following period (1926-1989), the share of urban population in the USSR grew steadily and almost reached the level of Western states.

Table 3.6 Urban population in the USSR and the Ukrainian SSR, 1926-1989

	1926	1939	1956	1970	1979	1989
Total city population in the USSR	17.9%	32.9%	48.3%	56.3%	59.8%	65.9%
Total city population in the Ukrainian SSR	18.5%	36.2%	46.4%	54.5%	61.3%	66.9%

Source(s): The 1926, 1939, 1956, 1970, 1979 and 1989 census of the USSR retrieved from the Demoscope Project.

The goal of urbanisation corresponded with the boost to the educational sector, which significantly increased the literacy rate in the USSR. Prior to the revolution, the quality of literacy in the Russian empire depended strongly on gender, class and area of residence. In the 1760-70s, 84% of the noble males had become literate, with only 1,1% to 6% of peasants being literate (Mironov, 1991: 233). During the Soviet rule, these differences were eradicated through mass education and by equalising the rights of all classes and genders to access education. Technical specialties were prioritised; however, universal primary education was also introduced, which was made mandatory in the cities after 1930. By 1939, literacy rate in urban areas exceeded 90% and all areas and genders had become literate by 1956:

Table 3.7 Literacy in the USSR, 1897-1979

		1897	1920	1926	1939	1959	1970	1979
Rural								
	Males	35.5%	52.4%	67.3%	91.6%	99.1%	99.6%	99.6%
	Females	12.5%	25.2%	35.4%	76.8%	97.5%	99.4%	99.5%
	All	23.8%	37.8%	50.6%	84.0%	98.2%	99.5%	99.6%
Urban								
	Males	66.1%	80.7%	88.0%	97.1%	99.5%	99.9%	99.9%
	Females	45.7%	66.7%	73.9%	90.7%	98.1%	99.8%	99.9%
	All	57.0%	73.5%	80.9%	93.8%	98.7%	99.8%	99.9%
Total								
	Males	40.3%	57.6%	71.5%	93.5%	99.3%	99.8%	99.8%
	Females	16.6%	32.3%	42.7%	81.6%	97.8%	99.7%	99.8%
	All	28.4%	44.1%	56.6%	87.4%	98.5%	99.7%	99.8%

Source(s): retrieved from Mironov (1991: 243)

However, the significantly increased level of literacy and education was used as an instrument for communist propaganda. The Department of Agitation and Propaganda had already been created in 1920, and it exercised control over the press and tertiary institutions (White, 1979a: 37). The works by Marx, Engels and Lenin were promoted in media, art and education.

However, a lack of initiative remained a key feature of Soviet society that would reveal itself in independent Ukraine as well. The active engagement of Soviet citizens in socio-political life was driven by conformity and excluded meaningful participation despite the nominally increased political engagement (DiFranceisco & Gitelman, 1983: 604-5). A system of state-organised trade (workers) unions, collective households and youth movements indicated not a degree of active social mobilisation but a state-driven construction of a highly clustered society.

In this social hierarchy, every individual was assigned a particular social role (worker, *kolkhoznik*, pioneer, *komsomolets*) and attached to a specific kind of collective identity (*proletariat*, *intelligentsia*) (Hopf, 2002: 41-4). Endowment with a class identity situated each individual within a specific behavioural norm and allowed the individual to either remain in the general communist flow or to stand out as the enemy *other* (bourgeoisie capitalist).

Due to the absence of socio-political alternatives, the only choice that every individual was provided under such conditions was either to become a member of the party and spread its ideology or not, and the majority naturally preferred 'tactics of the habitat' (Johnston, 2011: 210), embedded in Ukraine's politics up until today (as will be discussed in Chapter 4). The new Soviet citizen demonstrated high engagement with socio-political life not because of political consciousness but because of the fear that not adhering to the norm would 'attract unwanted attention' (Fokin, 2014).

The communist notion of identity and social norms introduced a concept of collective belonging that was propagated on the individual and national levels. The notion of family was strongly collated with that of the state (Motherland), party leaders were associated with fathers and national heroes functioned as sons and daughters of the Motherland. The family was portrayed as a part of the state mechanism (Kolomiets', 2015: 93-5) and resonated with the image of the USSR as a brotherhood of nations or the friendship of people.

3.6.4. Soviet national policies

The brotherhood of nations became a distinct feature of the Soviet attempt to mould different nations and ethnicities into one community that was not bounded by any emotional or psychological constraints. Controversially however, communist inter-nationalism required clearly defined nations, which, nonetheless, were not supposed to grow into strong self-determination (*bourgeois* nationalism) and thus hamper unification of the international proletariat. As a result, Soviet policies were fated to remain on a delicate balance between oppressing the political form of nationalism and promoting its historical and ethno-cultural foundation (Brubaker, 1994).

The first product of such a balance was the policy of *korenizatsiya*. Apart from encouraging the Ukrainian political elites to join the CPU(b), as was described in Section 3.5, *korenizatsiya* was reflected in the promotion of the Ukrainian language and culture at all levels of governmental and tertiary institutions. However, the character of Ukrainisation was extremely superficial, as the party officials worked towards fulfilling the plan rather than on the building-up a consolidated Ukrainian community (Kafars'kyi, 2007: 175-6). Moreover, 40.8% of those Ukrainians that joined the CPU(b) used Russian language as their native language (Table 3.8) due to the legacy of Russification during the tsarist period (this issue will be reflected in more detail further in this section).

Table 3.8 The lingual-national composition of the members of the CPU(b) in 1927

	Ukrainians	Russians	Jews	Others	Total
Ukrainian as a mother tongue	59.1%	0.3%	1.6%	3.5%	31.2%
Russian as a mother tongue	40.8%	99.6%	58.6%	48.0%	59.7%
The language of own nationality	59.1%	99.6%	39.4%	46.2%	66.7%
Other language	0.1%	0.0%	0.4%	2.2%	0.3%

Source(s): the All-Union Party census (1927) retrieved from the American Library Association (2016)

In this regard, deep societal transformations caused by Soviet industrialisation and collectivisation advanced Ukraine's national revival more than

the Soviet cultural indulgence. Similarly, any sort of national consciousness was primarily a side effect of Ukrainisation rather than its aim. As was described in Section 3.2, Ukrainians in the Russian empire were predominantly peasants, an urban and a workers' minority. Yet between 1926 and 1932, peasants rushed into the cities and the number of Ukrainian workers tripled, and these people did not abolish their cultural traditions (Liber, 1992: 69, 71). At the end of the 1920s, 97% of Ukrainian children were studying in Ukrainian schools, and the new urban generation did not evolve into a pure working class (e. g. not bounded by national-bourgeois consciousness) that the officials expected. The definition of nationality was fluid and non-refined (Brubaker, 1994). Similarly, the official interpretation of nationality in the Soviet Union did not emerge overnight.

Whereas during the tsarist era nationality was defined in accordance with language and religious affiliations, Soviet authorities began to create 'a "modern" socialist multinational federation' in which 'backward' nationalities were to emerge as modern nations (Hirsch, 1997: 257, 266-7). By the time this process began, some peoples (Ukrainians) had already acquired their own territories, while smaller peoples were consolidated either on the basis of titular nationality or on the basis of territorial proximity. For the 1929 census, 57 major nationalities were registered as part of national consolidation (Hirsch, 1997), and they made the basis for territorial composition of the USSR.

The Soviet Union was organised as a Union of independent Republics, which, depending on their national-ethnic background, could involve Autonomous Republics, Autonomous regions and Autonomous districts. Such administrative division imprinted the bicameral Supreme Council of the USSR that consisted of the Soviet of the Union (elected according to class affiliation) and the Soviet of Nationalities (elected in accordance with national-territorial division).

Yet the seemingly democratic basis of the Union in fact supported only nominal national sovereignty of the constituent republics: the Constitution emphasised the right of the union republics to secede from the USSR but did not develop any mechanism for its actual implementation. The all-Union centre was responsible for the socio-political organisation of state (up to medical and school programmes), making the USSR an empire in its substance (Bunce, 2005).

In moulding this multinational body, nationality became a crucial tool and a marker of Soviet identity. Since 1932 every Soviet citizen had a nationality column

in his or her passport and was obliged to choose a nationality from the officially composed registers. By 1937 nationality became part of official documentation and administration similar to name, address or date of birth; it was embedded in a day-to-day, social (and, thus, civil) identity as part of the broader Soviet identity.

Meanwhile, although advancing towards the construction of a nationalist sentiment, Soviet construction of nationality also had its negatives. People were often limited to choose only from those nationalities that were registered in the census lists. Similarly, census-takers would often register people according to their passport nationality or even as representatives of the dominant nationality if the respondent was from the national minority (Hirsch, 1997). Finally, the fear of discrimination (for example, deportation of Crimean Tatars in 1944 was based on passport nationality) often pushed people towards the change of their nationality in favour of a *better* one. In Ukraine, a similar controversy was reflected in the fact that although Ukrainians served a titular nationality for consolidation of other nationalities at the territory of the Ukrainian SSR, Ukrainians themselves had to look up to Russians when it came to the all-Union, or Soviet consolidation, as will be discussed below.

On the surface, the recognition of Ukrainians as a titular nation in the USSR advanced Ukraine's nation-state building. The Ukrainian SSR had its state administration, and the number of people who registered themselves as Ukrainians also increased. If the 1897 census of the Russian empire accounted 22.4 mln Ukrainian-speakers, the 1939 Soviet census revealed 23.7 mln Ukrainians living in the territory of the Ukrainian SSR alone (despite the losses caused by WWI, the civil war and purges). Furthermore, the share of ethnic Russians in such multinational regions as Dnipropetrovsk reduced from 17% in 1897 to 9.6% in 1926 (according to census data).

On the other hand, the shift in Soviet policies from Ukrainisation in the 1920s to Russification in the 1930s revealed that Ukrainian-based consolidation had not last long. Thus, Ukrainisation of the 1920s was largely a cultural phenomenon of support towards the Ukrainian language and folk traditions in order to pacify national-communists (as was described in Section 3.5) that unintentionally led to the merging of Ukrainian and Russian traditions in the flow of urbanisation (discussed above on page 94). However, after Stalin's takeover, the course had changed towards total Russification that was expressed in repressions against

supporters of cultural Ukrainisation (for example, Skrypnyk). With time, Soviet Russification was established as a political process that aimed at reapproaching the various Soviet nations on the basis of or around the Russian core. And although post-Stalin Russification attempted to prevent the moulding of these nations (Sakwa, 1998: 239), in practice it led to the merging because Stalinist purges left no political agents to promote any alternative.

As a result, language preferences became a crucial marker of the Ukrainian national identity and cultural Ukrainianness, while the merging of the Russian and Ukrainian identities was revealed in that the share of Ukrainians who viewed Ukrainian as their native language declined from 93.4% to 89.1% between 1959 and 1979. During the same period the number of Ukrainian-language published issues dropped in average by 27-36% (Subtelny, 2009: 524). Despite all languages in the USSR (including Russian and Ukrainian) were officially equal, there was no law on state languages to define their status in the Soviet hierarchy, where Russian was unofficially dominating. With exception of Armenia and Georgia such a law did not appear until the final years of the USSR: the law on languages that declared Ukrainian an official language of the Ukrainian SSR was issued in 1989, while the law on languages that declared Russian an official language of the Soviet Union appeared in 1990. Against the background of active Russification, it was no surprise that the Ukrainian language turned into a cultural, folklore phenomenon, while Russian entrenched its positions as the language of business and literacy, inherited from the tsarist period as well.

Successful Russification could have been reflected in demographic changes as well. Whereas Russians constituted barely over half of the Soviet population and their share in the USSR was steadily declining (from 54.6% in 1956 to 50.8% in 1989), the share of Russian population in Ukraine, Belarus, Moldova and Baltic Republics was increasing, unlike their titular nationalities (census 1959-1989). In contrast, the share of titular nationalities in the republics, where the USSR promoted nation-building policies, increased (Table 3.9; Figure 3.6). In comparison to the earlier discussed process of Europeanisation (Chapter 2 Section 2.2.2) whose success could be partially explained by existing socio-cultural similarities between Europe and Europeanising states (Flockhart, 2010) the success of Russification could be explained by cultural similarities between Ukrainians and Russians.

Table 3.9 The share of titular nationalities in the Soviet Republics, 1956-1989

Nationality	1959	1970	1979	1989
Russia	83.3%	82.8%	82.6%	81.5%
Ukraine	76.8%	74.9%	73.6%	72.7%
Belarus	81.1%	81.0%	79.4%	77.9%
Moldova	65.4%	64.6%	63.9%	64.5%
Estonia	74.6%	68.2%	64.7%	61.5%
Latvia	62.0%	56.8%	53.7%	52.0%
Lithuania	79.3%	80.1%	80.0%	79.6%
Georgia	64.3%	66.8%	68.8%	70.1%
Armenia	88.0%	88.6%	89.7%	93.3%
Azerbaijan	67.5%	73.8%	78.1%	82.7%
Turkmenia	60.9%	65.6%	68.4%	72.0%
Uzbekistan	62.2%	64.7%	68.7%	71.4%
Tadzhikistan	53.1%	56.2%	58.8%	62.3%
Kirgizia	40.5%	43.8%	47.9%	52.4%
Kazakhstan	30.0%	32.4%	36.0%	39.7%

Source(s): 1959, 1970, 1979 and 1989 USSR census, adapted from the Demoscope Project

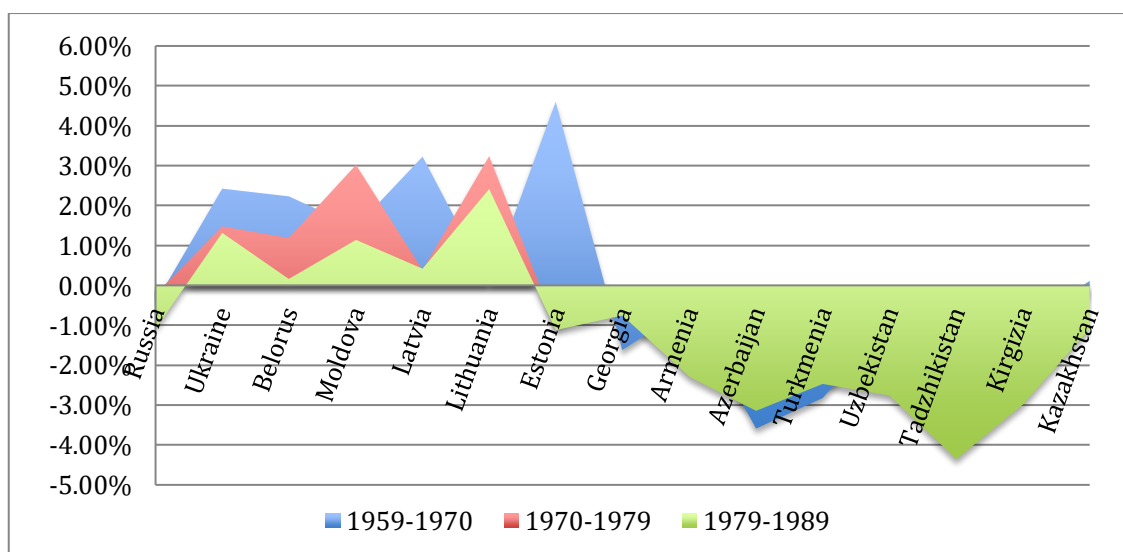


Figure 3.5. The growth of the Russian population in the selected Union Republics, in 1959-1989 (%), based on the census data

Source(s): 1959, 1970, and 1989 USSR census, adapted from the Demoscope Project

Moreover, in Ukraine the success of Soviet Russification could be correlated with the type of identity and pre-communist legacies. For instance, the 1920s Ukrainisation was complicated in Southern Ukraine and in urban areas (Idris,

2010: 37-8) because part of the Ukrainian population had already developed a dual Russian-Ukrainian identity by that time (Subtelny, 2009: 524-6). Similarly, the legacy of the anti-Soviet struggle combined with stronger nationalism in Western Ukraine resulted in strong resistance to Russification in the 1950s (Section 3.5), while in other regions, anti-Ukrainisation policies evoked imperial legacies and led to the overall success of Russification, as was in case of multi-cultural Tavriya and Bessarabia (Figure 3.1), colonised by the Russian empire in the seventeenth-eighteenth century. As such the Little Russian from the Russian imperial past evolved into a little brother in the Soviet Union, which explains why the position of Ukrainians in the Soviet national hierarchy was visibly more advantageous than of some other nationalities.

The Soviet leadership viewed the Ukrainian nation as part of 'Slavic brotherhood' and a 'trustful' Republic despite the Soviet struggle against the OUN-UPA. The 'career patterns [of Ukrainians] were almost indistinguishable from those of Russians' (Sakwa, 1998: 252), and the access to power made Ukrainian elites interested in the preservation of the communist regime. Meanwhile, the success of industrialisation and related achievements in modernisation such as urbanisation, eight-hour working day, suffrage, gender equality, access to medicine and education also advanced to the legitimacy and attractiveness of communist regime in the eyes of the broader public. By associating themselves with the party of power and positive achievements of Soviet modernisation Ukrainians more likely followed the pace of Sovietisation and Russification (including the reluctance to use the Ukrainian language). They equally supported the Soviet struggle against the anti-Soviet (including OUN-UPA) and anti-communist elements.

According to the communist ideology, one of the key elements of the 'anti-Soviet element' was the ecclesiastical component of behaviour, or religion which poorly corresponded with the image of the new Soviet person — educated, hardworking, and knowledgeable but not religious. The communist offensive on the Church began immediately after the Bolshevik takeover. The Orthodox Church was deprived of property with almost all its clergy killed. By 1940, out of the 55 000 churches, only 500 survived (Besier & Stokłosa, 2014: 46). Only with the outbreak of the Soviet-German War and German occupation of Ukraine, the Soviet officials once again changed the course, supporting the Church as a means of anti-Nazi consolidation, which resulted in a boost of religious establishments in the USSR

and Ukraine during the war and the first post-war years (Beliakova, 2008; Bilous, 2004; Vojnalovych, 2005: 64-81). However, after Stalin's death, the closure of churches and reduction of clergy (including imprisonment) continued, because party leadership viewed 'scientific-atheistic propaganda as an integral part of communist education' (Vojnalovych, 2005: 79, 81).

Political agitators and party representatives occupied the role of the Church, performing in the purposefully created 'red corner' (special part of premises, set aside in any organisation for the purpose of agitation and political education). Baptism was substituted by *oktyabrina*, and marriage and memorial services attained civic, non-religious character. The Soviet doctrine launched the process of substituting the Church holidays with new holidays and festivals that rested on political (or cosmopolitical) principles (Zhuravlev & Fortunatov, 2013).

Involvement of administrative regulation in the private life of Soviet citizens was to support the communist premise that improving living conditions and level of education would result in general uniformity across varying USSR nations. This idea partially worked, as national issues did not affect individual preferences in daily life with respect to marriage, friendship or media (White, 1979a: 147-51). However, Soviet citizens continued to experience 'identification both within the ethnicity or nation' while accepting 'the values and norms of Soviet life' (Bassin & Kelly, 2012: 23).

The Soviet people represented a supra-national rather than a national level of self-identification (Brubaker, 1994: 51), while the Soviet component of identity was likely associated with citizenship and common belonging to the great super-power, the USSR. Meanwhile, the Russian nation was to serve a role model of Sovietisation for the rest of nations to follow (Sakwa, 1998: 246-55).

The policy never aimed at organising the Soviet Union as a Russian state (Brubaker, 1994), and Russians occupied top positions in Soviet administration being *de facto sacrificed* for the sake of an exemplar Soviet citizen (Martin, 1998). If in the Ukrainian SSR, the titular nation was clearly determined as Ukrainian and the Soviet policies reproached Ukrainian nationals (Russified, yet Ukrainian) to the power, in the RSFSR the situation was more complex. Since Russians were promoted to the centre as exemplar Soviet citizens, the federal status of the RSFSR together with Soviet policies of filling up ethno-federal territories with national cultures promoted non-Russian nationals or minorities and their culture in the

RSFSR (Vasiliev, 2016). Therefore, acting as an empire, the USSR was in fact an “‘empire” without a core’ because the Russian identity was transformed into the Soviet supra-national identity, while Russians had no clear sense of territorial and cultural boundaries. It became increasingly difficult to define what Russia and Russians actually were, and they ‘felt no less hard done by than any other nationality’ (Sakwa, 1998: 243). The political situation only amplified the existing tensions between the centre and the periphery.

Internal party struggle increased the power of local elites, who managed to engage in ‘nationality contracts’, which implied the provision of ‘a package of economic benefits to the republics ... at the discretion of the local elites, in exchange for the compliance [of local citizens] with Soviet rule’ (Bremmer, 1993: 10-1). The more economically advanced the republics were, the more difficult it became to achieve such contracts, because the image of Russia as the ‘elder brother’ for the elites was ‘counterproductive when applied to developed regions of the Baltic and Ukraine’ (Sakwa, 1998: 251-3). For similar reasons, unequal redistribution of finances among the republics (p. 90 of Section 3.6.2) only added to the tensions between the centre and economic frontrunners of the USSR — a problem that became especially visible during the political tensions in the 1980s’, which will be discussed in Chapter 4.

3.7. Conclusions to Chapter 3

As the review of Ukraine’s historical background demonstrates, the country’s lack of nation-building experience and stateness could primarily be attributed to geopolitical factors. The quality of political and economic legacies as well as the types of identities Ukraine gained relied mainly on the qualities of the socio-political systems adopted by Ukraine’s metropolises. Regardless of the type of political dominance, an absence of national elites and their quick convergence with the political establishment of the metropolises was common for all parts of the country.

However, Ukraine’s general patterns of nation-building and democratisation were no different from those of other European states, where nation-building was intricately connected with the nineteenth-century modernisation. This chapter clearly demonstrates that although the territories of Kievan Rus’ had been divided

and fell under the dominance of different political regimes (in the structuralist portrayal — civilizations), by the end of the nineteenth century the Russian empire joined the developmental trends of its Western neighbours, and Russia's revolutionary drive was no weaker than in Western Europe (Gill, 2017).

The key difference between the developmental paths of the Russian empire and the Western European states lies primarily in asynchronised modernisation. While the Western European states had already proceeded with the transition to capitalism, Russia had to make this transition under more intense time constraints and external pressures. The reason it did not follow the experience similar to its Western counterparts resides in the combination of agent-driven factors and events that led to the establishment of a communist and not a capitalist regime in the country.

In turn, Ukraine serves as a unique case that demonstrates not only the reflections of historical legacies in the evolution of institutions but also their diffusion in time and space. Such legacies as religious and socio-economic oppression in the Commonwealth and serfdom in the Russian empire were reflected in the peasant resistance and support to Ukrainisation during the civil war, which, later on, resulted in the NEP and related concessions by the communist regime. Certain institutional continuity between the Russian empire and the Soviet Union also may be observed (Cossack-atamanshyna traditions; soviets established on the basis of *zemstva* and Russification policies).

Meanwhile, the event-based approach also proves suitable for Ukraine's case. Thus, the establishment of various political regimes in the country during the revolution and the civil war (including those that restored private ownership) demonstrates that the establishment of communism was not a predicted event, and it depended largely on the strategic and tactical ingenuity of the communist leadership.

Yet probably the key practical outcome for Ukraine's post-communist transition, illustrated in the above observations, lies in the fact that Ukraine's patterns of development were not significantly different from those in Europe (especially with regard to national consciousness that began to form at the end of the nineteenth century) until the establishment of communism in 1921.

Furthermore, the establishment of communism became crucial for Ukraine's nation-state building not only in terms of establishing a unique socio-political,

economic and cultural entity, but also in the context of constructing the first functioning state institutions in Ukraine. On the one hand, the Soviet regime consolidated Ukrainian society into a single state; Ukrainian elites became an essential part of the Soviet nomenklatura, and Ukraine's economy improved. On the other hand, similar to the Russian imperial officials, the Soviet regime failed to achieve economic growth that was driven by technological advance and the increasing economic efficiency. The lack of initiative as part of the political culture both among the public and the nomenklatura hindered the reforms and hampered further modernisation. When the contracts between the centre and periphery failed to satisfy the local elites and economic stagnation continued, the Soviet Union found itself in a deep political and economic crisis, and Ukraine emerged as an independent state primarily due to its status of a segment-state in the USSR.

CHAPTER 4. UKRAINE'S POST-COMMUNIST TRANSITION AND ITS INTERNAL CHALLENGES

This chapter is devoted to the analysis of Ukraine's post-communist transition in the context of its internal transformations. Not only did the country have to accomplish the construction of a functioning multi-party democracy and market economy, Ukraine also had to emerge from the transition as an independent state. This chapter concentrates on the analysis of Ukraine's institutional development aligned with respective political, economic and socio-cultural transformations. This chapter offers a critical analysis of Ukraine's transition and the obstacles the country faced.

4.1. Institution- and state-building of independent Ukraine

This section focuses on the initial stage of Ukraine's post-communist transition and examines the set of events that led to the collapse of communism and the establishment of an independent Ukrainian state. The section reveals that despite a number of reform attempts during the late Soviet period and the early days of independence the members of the former Soviet nomenklatura were not removed from power, which effectively obstructed the construction of democratic institutions and post-communist/post-Soviet economic and socio-cultural transformation in Ukraine.

4.1.1. The role of communist legacies and the 'momentum' in Ukraine's post-communist transformation

4.1.1.1. The origins of the collapse of communism in Ukraine

As Section 3.6 in Chapter 3 has demonstrated, Ukraine's state institutions were shaped largely during communism, and as such they were a reflection of communist ideology and a party-state system. Ukraine emerged as a segment-state within the USSR, which, on the one hand, allowed the centre to maintain control over vast Soviet territories by allowing a degree of self-governance (Roeder, 2007:

11-2), but, on the other hand, accelerated centrifugal forces in the Soviet Republics, and did so even more rapidly when the authority of the centre faded.

After the death of Brezhnev in 1982, the USSR went through a period of instability. The two General Secretaries changed in three years (Andropov died in 1984 and Chernenko in 1985) before a new leader, Gorbachev came to power. By the time he was elected a General Secretary of the CPSU in 1985, the Soviet Union had accumulated a number of internal problems. Quality of life in the Soviet Union declined; the share of consumer goods in Soviet GDP was twice as low as in Western societies (Danilov, 2000); the crisis in the oil market sharply increased the budget deficit. The Soviet Union stagnated, and the resolution of its internal crisis required reforms.

Yet the first attempt at reform (acceleration of socio-economic growth launched in 1985) did not take off, because it did not challenge the structure of the Soviet economy or its political system. As a result, Gorbachev announced a course for *glasnost* (openness) in February 1986 and extended reforms to *perestroika* (an analogue of English 'restructuring') in January 1987. *Glasnost* slowly transformed into a virtually unlimited freedom of speech undermining the authority of the party organs, while economic liberalisation (*perestroika*) led to capturing of all spheres of the liberalising economy by the 'authorised organisations of the CPSU' (Kryshtanovskaia, 1995: 55) through the nomenklatura network.

Struggling against the nomenklatura, Gorbachev launched 'party *perestroika*' (separation of state and party functions) (Kryshtanovskaia, 1995: 54), which strengthened the hardliners' opposition of him. Meanwhile, political reforms that allowed the establishment of alternative political parties and strengthened the autonomy of regional and local governments also undermined the authority of central bodies (including Gorbachev) in the regions. Along with the split in the party core this diminished the party monopoly and, thus, the monopoly of state, accelerating centrifugal forces among the constituent Republics.

In this process, the Baltic States were the first to declare their aspiration to sovereignty with the Singing Revolution of 1987-1991, while the rest of the Soviet republics followed them in the so-called 'parade of sovereignties' (Zerin, 1990) during 1988-1991 (figure below). Mobilisation spurred an internal logic which

turned into unstoppable events that advanced to the future secession of Soviet Republics (Beissinger, 2002).

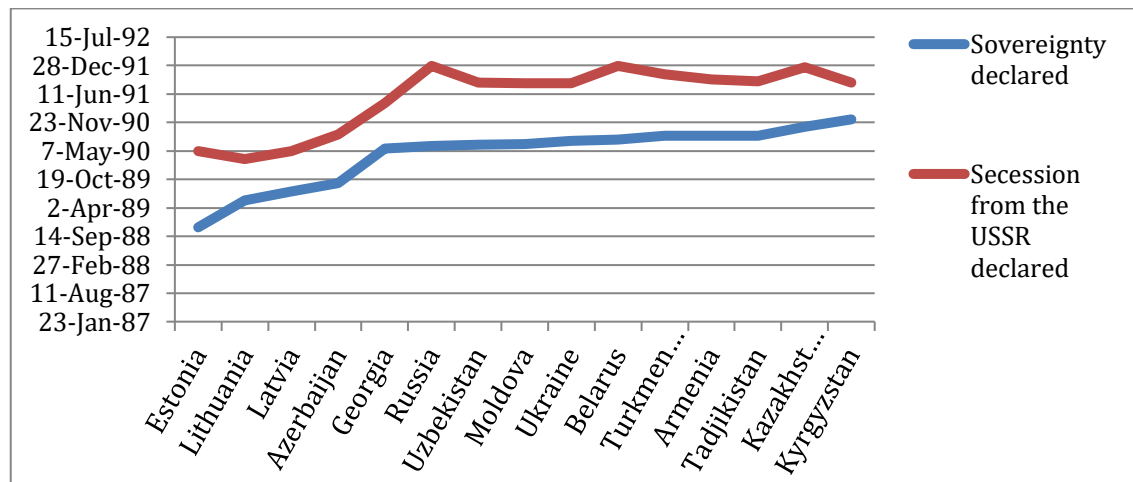


Figure 4.1. The timeline of the parade of sovereignties and secession of Soviet republics, 1987-1991

An important characteristics of Russia-dominated Soviet institutions was the ‘alienation of Russians from a [Soviet] state’ (Beissinger, 2002: 387), whereby the former Secretary of the Moscow Central Committee of the CPSU Yeltsin emerged as a ‘symbol of resistance’ to the party rule (Dobrokhoto, 2000: 526) and a symbol of emerging Russian nationalism. The ‘moral victory’ of the anti-communist forces seemed inevitable (Beissinger, 2002: 385-6). Although after the 1989 elections communists formally made up the majority (85%) in the Congress of People’s Deputies and retained top positions (Kryshtanovskaia, 1995: 55), many were ready to abandon the CPSU and join the opposition (Dobrokhoto, 2000: 529-60). This situation reflected the Soviet legacy of the tactics of the habitat and was mirrored by Ukrainian communists as well.

In contrast to those drives towards sovereignty which were grounded in nationalism (as in the Baltic States) or contest-caused (as in Russia), Ukrainian parliamentarians adopted a temporising approach by distancing themselves from the power struggle between Gorbachev (who also became the President of the USSR in March 1990) and the president of the Russian SFR Yeltsin (elected in June 1991). Ukraine declared its sovereignty (on July 16, 1990) but did so after

Russia (declared sovereignty on June 12, 1990) while simultaneously supporting Gorbachev's initiative to renew the Union by holding the respective referendum.¹²

The explanation behind such behaviour was that Ukraine's communist elites were among the most conservative in the USSR (Prizel, 2002: 367), and they viewed potential secession from the Soviet Union as an opportunity to resist reforms by Gorbachev's centre (D'Anieri, 2007: 78; Prizel, 2002: 368) as well as to maintain control over the Ukrainian economy. In this context, Yeltsin's policies of total liberalisation were viewed as even more radical and unacceptable.

As such, Ukraine's independence became a result of a counterplay among various factors, where nationalist sentiment was the least crucial. Foremost, popular support to Ukraine's national movement that evolved on the basis of the OUN-UPA (see Section 3.5 in Chapter 3) was limited mainly to Western Ukraine, while the rise of the intelligentsia in during the 1960s (the sixtiers) remained a cultural phenomenon in big cities such as Kiyv or in the central part of the country (Zakharov, 2003: 28-9). Although some diffusion between these two movements occurred, it was the launch of *perestroika* that led to a rise of alternative movements in Ukraine (Kul'chytskyi, 2010).

Furthermore, the organisational structure of the anti-communist movements in Ukraine was weak. Whereas the 'moral defeat' of the communist party in the Ukrainian elections of March 1990 was obvious (communists gained a formal majority of 53% in contrast to 25% for the opposition), the opposition failed to unite. The Democratic Bloc consisted of diverse national and cultural movements created only on the eve of the elections (Kul'chytskyi, 2010). One of such movements, the People's Movement of Ukraine (Rukh) evolved from writers' organisations (Solohubenko, 2009), yet its nationalist agenda met the expectations only of a part of Ukrainians (see the next subsection). Similarly, few Ukrainian anti-communist protests (a hunger strike by Greek-Catholic priests with a demand to legalise their Church in November 1989 in Moscow and a student protest campaign know as the Revolution on Granite in October 1990 in Kyiv) represented interests of limited groups of people.

¹² The referendum was held on March 17, 1991. Of the 83.5% turnout, 70.2% of Ukrainian citizens supported the preservation of a new Union (Central Committee of the referendum of the USSR, 1991), but the the outcomes of the referendum were not implemented

As a result, the ability of Ukrainian nationalists to promote their political agenda depended on the extent to which the Soviet communist regime had weakened. Meanwhile, political decisions of more organised Ukrainian communists depended on the outcomes of the power struggle between Russian and Soviet political cores.

The turning point in this conflict was an attempted coup d'état in Moscow in August 1991. The putsch was organised by members of the Soviet government in order to 'save the USSR' by not allowing the enforcement of a new Union Treaty (Luk'yanov, 2010). Yet the attempt failed, and Yeltsin's leading the crowd against the putschists quickly transformed him into a symbol of struggle against the communist dictatorship, ruining the prestige of Gorbachev and the idea of a renewed Soviet Union with it.

On the 24th August, Gorbachev resigned from the position of the General Secretary of the CPSU. On the 5th September, the Congress of People's Deputies of the USSR dissolved itself. In August-November 1991, the remaining Soviet Republics declared their independence (Figure 4.1), and 'Ukraine gained independence with surprising ease and as a result of events elsewhere' (Wilson, 1997: 24), which, once again, points to the importance of agency and event logic during critical junctures.

4.1.1.2. Ukrainian elites and the vacuum of reforms at the beginning of transition

When on the 24th of August 1991 the Supreme Council of Ukraine declared independence of Ukraine, 'political elites mutated overnight from being an agent of imperial power into an independent political actor' (Prizel, 2002: 366). For Ukrainian communists, who felt limited in political and economic power (Sections 3.6.2 and 3.6.4), independence served as a guarantee of control over national resources and a stall of reforms (Section 4.1.1.1). Since the public blamed the reforms for the extreme inflation (Dobrokhoto, 2000), the former communists utilised the economic argument to gain support.

On the eve of the declared referendum on independence, the Presidium of the Supreme Council of Ukraine addressed the citizens, calling independence the only way for Ukraine's prosperous and democratic development (Shakhrai, 2016). Nationalist forces that aspired for Ukraine's sovereignty naturally joined recoloured

communists in supporting pro-independence agenda. Rukh prepared agitation material that fell in line with the narrative of Ukraine's return to Europe (Pidkova, 2012: 208), 'Ukraine: a European state by capacities, a Muscovy colony by abilities' or 'This is how we work and this is what we get', comparing Ukraine's production output with that one of Western European states (Figure 4.2).



Figure 4.2 Placards and agitation materials on the eve of the all-Ukrainian referendum on the Declaration of independence held on 01 December 1991.

Source(s): open web-sources, Ukraïnska Pravda (2012)

While the Rukh agitation met the expectations of the nationalist- and Europe-oriented part of the population, 'the non-nationalist majority accepted the argument that independence would leave Ukraine better-off economically' (Wilson, 1997: 128). Of the 84.18% turnout at the national referendum, 90.32% voters supported the Declaration of independence (Central State Archive of Ukraine, 1991). This fact proves the extreme fluidity of public preferences during the crisis and also demonstrates the important role of social mobilisation at this critical juncture.

Importantly, Ukraine's national referendum was held simultaneously with the first presidential elections, where national communist candidate Kravchuk won over the diverse opposition candidates. While this reflected on the takeover of former communists in already independent Ukraine, new political leaders of

Russia, Ukraine and Belarus also signed the Belavezha Accords on 8 December 1991 declaring that the USSR had 'ceased to exist' (Federal Archive Agency of the Russian Federation, 1991). Although they established an alternative organisation, the Commonwealth of Independent States (CIS), on the same day, 'the three eastern Slav leaders ... were only united in their dislike of Gorbachev' (Kuzio, 2001a, p. 356) and had no working alternative to the USSR. Moreover, one of the key Soviet players and founders of the organisation, Ukraine, has never signed the CIS charter and thus formally has never become a full member of the organisation. Ukrainian elites clearly demonstrated that they preferred to maintain their political and economic independence from Gorbachev's collapsing USSR and from reformist Yeltsin's Russia.

On the domestic scale, the era of independence for Ukraine began with a compromise between Rukh and the communists (headed by Kravchuk), which deliberately secured the power of the nomenklatura. Subsequently, the rise of opposition parties in the 1990 elections brought no real democratisation from an institutional perspective (D'Anieri, 2007: 77), which confirms the argument on the importance of the balance of power on the eve of transition (McFaul, 2002) and 'in the process of the fall of the USSR' (Gill, 2017: 85). As the former party nomenklatura retained its power, all the key positions in the state remained theirs as well. Soviet institutions changed their signs but *de facto* remained the same: the former KGB became the Security Service of Ukraine and the former Gosplan (state planning) turned into the Ministry of Economy (Fritz, 2007: 116-7).

Reform projects could barely pass such a threshold, but neither the former nomenklatura nor the former opposition had any coherent plan for transformations (Aslund, 2009: 30). Instead, both concentrated on Ukraine's nation-building aligning it with either the return to Europe (as in case of Rukh) (Paniotto, 1991) or Soviet-like Ukrainisation in case of Kravchuk. Indeed, construction of an independent nation-state was crucial in the context of Ukraine's triple transition, yet it was to occur simultaneously with political and economic modernisation. Instead, almost a fifty-million-people country spent the momentum of its transition without the main law (Constitution) or any institutional reform.

Political initiatives aimed largely for the creation of the semblance of an independent and functioning state, but these attempts were reflected mainly in shaping an image of an independent Ukraine rather than in creating any qualified

state institutions. This problem became the main stumbling block of Ukraine's post-communist transition.

Indeed, Ukraine achieved certain sense of stateness during the Soviet period, as its governing organs represented Ukraine's territory and people, and, therefore, shaped certain sense of Ukrainianness. Therefore, unlike states with no stateness experience prior to independence, Ukraine's state-building was largely developmental and, in theory, this needed to be reflected in political arrangements that would organise Ukraine's governance in line with public expectations (Whaites, 2008).

However in practice, Ukraine had had no experience in any kind of political transition. In contrast to most of Central Europe, its post-1917 transition ended with the establishment of communist rule while after 1945 the dominance of the communist regime was sustained (Chapter 3). In contrast to those countries that built their nation-states on the basis of an administrative apparatus that was to represent the interests of their diverse peoples (Bideleux & Jeffries, 1998: 590), Ukraine had no class of owners to represent such different interests and no nation-state to mature such institutions (Offe, 1991). In this regard, the construction of democratic and market institutions was of a much a greater impact for Ukraine's post-communist state-building than any other factor.

In practice it became an elite-driven process (Offe, 1991) dominated by the former nomenklatura that took place in an environment saturated with communist practices. Such legacies as recoloured communist leadership, the nomenklatura's control over newly liberalised economic activities, and socio-economic legacies (legitimacy of the regime supported by economic factors, lack of experience in anti-communist struggle, absence of civil society or other alternative organisations to promote liberal values) became the main determinants of Ukraine's post-communist transformation.

Ukraine's transition not only took place on the grounds of the inherited Soviet institutions, but Ukrainian elites at the time also assumed that Ukraine's transition would proceed more or less automatically on the basis of existing practices. This assumption derives from the fact that Ukrainian policy-makers did not adopt any attempt at deep, structural reforms during the initial years of the transition, and, as the figure below demonstrates, the key characteristics of

Ukraine's political institutions remained largely unchanged throughout its transition:

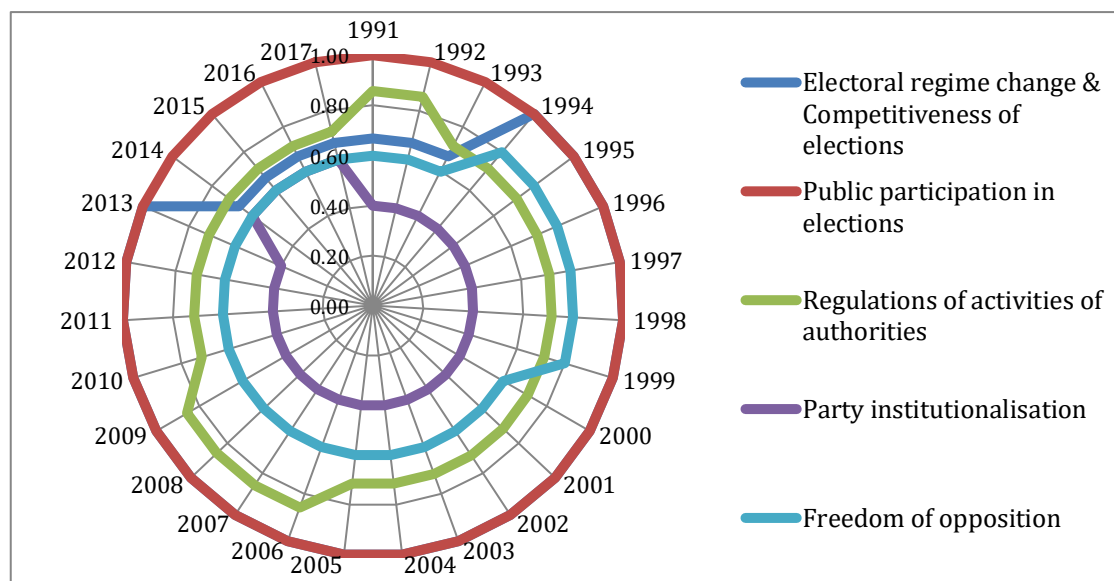


Figure 4.3 Ukraine's democratic institutions during 1991-2017

Source(s): Polity IV dataset (Marshall & Gurr, 2015)

Note(s): Indices are built as a ratio of respective indicators to their maximal meaning, with 1.00 meaning absolute fit with the peak meaning.

Electoral regime change and competitiveness of elections are represented as one indicator because their meanings are similar.

Ukraine's formal democratic institutions (such as presidency, parliament, elections, legislation) were run by the members of the former Soviet nomenklatura, who relied on Soviet political, economic and socio-cultural practices (Chapter 3), which did not fit the concept of a capitalist democracy that Ukraine declared it aspired to. Altogether this led to the intertwining and mutation of old and new practices, and whereas such interlacement is natural in the context of incremental institutional development, the most important lesson from Ukraine's transition at this stage was the lack of political will and the absence of desire for reforms by political elites in order for liberal norms to prevail (Section 2.2.2).

There was no division of power among the President, Prime-Minister, Head (Speaker) of the Parliament and the Parliament and there was also no 'functioning court system' to ensure 'a pitched battle' for control over the branches of power that launched at once (D'Anieri, 2007: 80-1; Kudelia, 2012: 419). The newly established National Bank was de facto subjugated to the state, while the state regulation of the economy was preserved. Such a hybrid system of governance coupled with an anti-

reformist political core could not solve any structural problems inherited from the Soviet political regime and economy.

Importantly, in 1992, Ukraine was the second largest economy in the USSR after Russia. It had no external debts because Russia had assumed the entire Soviet debt (Aslund, 2009: 71). Ukraine's economic prospects were rated as the best among the former Soviet Republics (Havrylyshyn, 2014: 165) and were successfully exploited by Ukrainian political elites while shaping public opinion against radical reforms which could cause strong social shocks. Kravchuk rejected the programme of economic reforms that could serve as a basis for negotiations with international financial organisations (IFOs) such as the IMF and the WB (Havrylyshyn, 2014: 165, 169, 172) providing no alternative for reforms. Term 'gradual reforms' was used as a substitute for non-reforming at all, which, as was announced in Section 2.1.3, led to a 'shock without the therapy' (Dobbs, 1993).

Coupled with the disruption of cooperative links between Ukrainian and other former Soviet enterprises that used to function as one economic body (the legacy of the socialist economy), the shock reflected in a 6.3% decline of GDP in 1990 that deepened to 9.7% in 1992 and 22.9% in 1994. In 1995, Ukraine's real GDP constituted about 45% of its 1989 indicator (table below), whereas in 1999, it dropped to 37% of its 1989 level (Prizel, 2002: 365).

Table 4.1 Ukraine's GDP deflator, growth (%) and GDP value in constant prices (2010 US\$), 1989-1995

	1989	1990	1991	1992	1993	1994	1995
Inflation, GDP deflator (annual %)	3.8	16.3	95.6	1761.2	3334.8	953.5	415.8
GDP at market prices (bln constant 2010 US\$)	219.7	205.8	188.5	170.2	146.0	112.5	98.8
GDP growth (annual %)	3.9	-6.3	-8.4	-9.7	-14.2	-22.9	-12.2

Source(s): WB, World Development Indicators

The closure of enterprises further increased the budget deficit, spurred inflation and unemployment. Severe inflation peaked at 3334.8 in 1993 and demoralised the society in its entirety. For the 1989-1994 period the estimated share

of the black market grew from 12% to 46% (Aslund, 2015: 62). Hyperinflation and unemployment increased poverty and the quality of life was even worse than it had been in the Soviet period (Prizel, 2002: 365-6).

The state preserved a monopoly on foreign trade, resources and product redistribution, while the former nomenklatura retained control over the economy transforming into a strata of rent-seekers who delayed an actual transition and reforms in order 'to maximise market distortions' (Aslund, 2007: 48) and rise as 'new capitalists' (Havrylyshyn, 2014: 171). By 1993, only 15% of Ukrainian enterprises were privately owned, and even these belonged to the former nomenklatura (Aslund, 2015: 62). A network of 'rapacious elites' (Way, 2005c) consisted of 'managers of large state enterprises (*red directors*), chairmen of collective farms, *komsomol* leaders who had turned into bankers or entrepreneurs and nomenklatura insiders both on the regional and national levels' (Kudelia, 2012: 419).

Old 'new' (putatively new but actually old) *elites* made their margin on the difference between international and domestic prices or trade with Russian gas. The former nomenklatura also set up small businesses as contractors to big state companies and, by gaining credit from the central bank, redistributed finances to small ventures that were in their ownership. Such subsidies consumed 65% of Ukraine's GDP in 1992 and 47% in 1993 (Aslund, 2015: 65) apart from budget subsidies in agriculture, gas and coal industries that the 'new capitalists' used to cover the cost of production (Puglisi, 2003: 104-5). As a result, the 'rent' collected in Ukraine was the highest among former Soviet republics, assumedly amounting to the size of Ukraine's GDP (Aslund, 2000: 264).

The Soviet legacy of economic success being associated with illegal means was replicated in that economic power in Ukraine became irrevocably interlaced with access to political power (Sections 2.1.3 and 3.6.2), and privatisation only strengthened this relationship. During 1992-1994 around 80% of former state companies were privatised by insiders ('red' directors) who were able to arrange a preferred share allocation. In addition, when in order to accelerate privatisation, the government began to issue privatisation certificates, or vouchers¹³ in 1994 (World

¹³ the certificates were to be exchanged for shares of companies or allocated in investment funds and were assigned for every Ukrainian citizen

Bank, 1997: 242-5), not only did ordinary citizens not have enough market experience to know what to do with these, but also Ukrainians were more interested in getting real money than they were in acquiring shares in the collapsing industries.

Together with the legacy of the black market and the dominance of informal practices (Sections 2.1.3 and 3.6.2), this led to the situation when investment funds bought most of available vouchers, exchanged them for the shares in the most profitable enterprises and then onsold these shares to organisations often controlled either by the former nomenklatura or by syndicates of organised crime because these networks had the financial capacity to make such purchases. This situation was determinant in laying the foundations of what would become known as state capture.

4.1.2. Ukraine in a ‘state capture’: constructing a hybrid regime of ‘defective democracy’ and ‘competitive oligarchy’

4.1.2.1. Ukraine’s belated reforms

As was described in the previous section, in the absence of political reforms during the crucial momentum of transition in 1991-1993, state institutions that were supposed to create democratic rules of the game for political elites were basically omitted. Although the institutions of democracy (presidency, multi-party elections and new legislations) and state administration (organisations and ministries independent from the Soviet core) had been introduced, they failed to grasp the ‘broader’ meaning of the nation-state as the form of governance that frames political leaders to act on behalf of all political, economic and ethno-cultural groups (Roeder, 2007: 15-6), instead favouring the few in power.

Against the legacy of state-controlled economy, new economic elites quickly realised that control over state institutions could facilitate their profits. This led to the transcendence of the economic struggle into political opposition which peaked with the political and economic crisis of 1993 which then led to parliamentary and presidential elections of 1994. After the elections, communists (86 seats) and socialists, viewed as other successors of the CPSU (14 seats), made the only working coalition in the parliament (Aslund, 2009: 64; Bilets'kyi M. & Pogorbyns'kyi, 1997), while reformist Kuchma (parliamentarian since 1990 and

prime minister since 1992) became the president with the support of Ukrainian industrialists (Vysotskyi, 2012). However, in the absence of strong state institutions and clear division of power, the struggle for dominance between the president and the parliament resumed, producing a set of features that would form the core of Ukraine's policy-making.

Ukraine's socio-political system represented a hybrid of formal democratic institutions and embedded Soviet practices. In light of the presidential-parliamentarian power struggle during 1995-1996 Kuchma announced a course for 'strengthening' a single executive vertical structure of power as the basis for a nationwide policy. Noteworthy, in this process popular appreciation 'that only forceful solutions' (Motyl, 1997b: 441) could resolve economic depression justified the use of 'extralegal means' by the president (D'Anieri, 2007: 84) such as blackmailing the parliament with public opinion (Vysotskyi, 2012: 108).

Only when Kuchma threatened the parliament with re-elections on the basis of public opinion polls, a temporary consensus about the division of power was achieved. In June 1995 the constitutional treaty on the organisation and functioning of state and local governance between the president and the speaker of the parliament (the leader of socialists Moroz) was signed. The situation repeated when Kuchma forced the parliament to adopt the currently acting Constitution of Ukraine just in two days (during 27-28 June 1996) by adopting a decree, 'On holding the all-Ukrainian referendum on the adoption of a new Constitution of Ukraine'.

Importantly and in line with the argument that Ukraine's politics is guided not by institutions but by policy-makers, the Constitution did not put an end to Ukraine's political cleavages, because it preserved a set of mechanisms to satisfy the representatives of various branches of power. The Constitution turned into an object of amends for Ukrainian politicians, which has been reflected in a number of Constitutional reforms by other presidents, including in between and after the democratic revolutions.

The man-made character of Ukraine's institutions is revealed in that Ukrainian laws are often 'a reflection of incumbent authority rather than a cause of it' (Way, 2005a: 245), because Ukrainian politicians shape institutional design to favour their needs. In this regard, 'the way in which the Constitution was adopted' was much more indicative of Ukraine's rules of policy-making 'than its content'

(D'Anieri, 2007: 85), because blackmailing and illegal means have grown as inevitable part of Ukraine's policy-making. Since the end of the 1990s their impact only strengthened due to the ongoing power struggle.

Moreover, when in 1998 the communists gained most of the vote (24.65%) and managed to create a communist-socialist bloc of approximately 40% of deputies in the parliament (Freedom House, 1999), Kuchma launched a so-called 'virtualisation of democracy', whereby formal compliance with democratic practices represented a facade of de facto authoritarian practices reflected in unequal access to the media, alternative (often falsified) public opinion polls, financing social institutions using 'the party of power', and election fraud. Ukraine's hybrid democracy allowed a strong president to capture the parliament by buying the votes of so-called 'swamp' of deputies with no party affiliations for better political prospects (Vysotskyi, 2012: 109-10) — a reflection of the communist political culture and a feature of Ukraine's politics till the present day.

Since Ukraine did not build transparent and accountable institutions, its transition became overtly changeable, agent-driven and determined by the balance of power in politics. Moreover and in line with the theoretical postulate on the determinant role of political decision for the pace of economic reform (Section 2.1.3), Ukraine's economic transition was a reflection of its politics.

Following the promises of his electoral campaign, Kuchma launched economic changes immediately after coming into power. The first programme with the IMF was signed in 1994 (Aslund, 2015: 65) and it aimed at market liberalisation and a mass-scale privatisation. The NBU headed by Yushchenko (who would later become the president of Ukraine) restricted monetary emission through a seven-month ban on issuing credits (Aslund, 2009: 73, 87), which, combined with the tightened budget control, reduced inflation from 10,000% in 1993 to 400% in 1995 and reduced the budget deficit from 5% in 1994 to 3% in 1996 (Havrylyshyn, 2014: 175; figure below). Ukraine became able to introduce its national currency *hryvnia* in 1996.

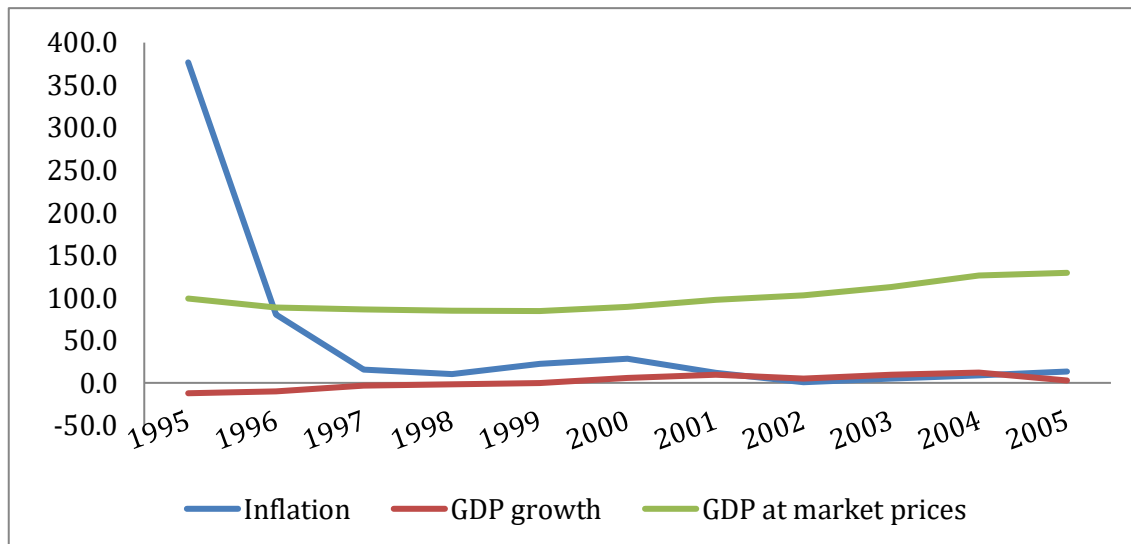


Figure 4.4 Ukraine's inflation, consumer prices (annual %), GDP growth (annual %), and GDP at constant market prices (bln constant 2010 US\$) for the period 1995-2005

Source(s): WB, World Development Indicators

Ukraine's progress in reforms in other sectors of the economy was also visible in comparison with the previous decision-making vacuum (Table 4.2). The share of the private sector's contribution to GDP increased from 10% in 1992 to 35% in 1995 (*EBRD Transition report*, 1995: 61-62). Governmental support for the economy dropped from 13.3% of the GDP in 1994 to 6.5% of GDP in 1996 (Havrylyshyn, 2017). In 1998, privatisation spilled over to infrastructure (*EBRD Transition report*, 1998: 197).

However, the extent of the economic crisis that Ukraine had experienced previously complicated economic reforms. Half of Ukraine's GDP was produced in the informal economy and barter transactions accounted for more than 40% of all industrial sales in early 1999 (*EBRD Transition report*, 1999: 279). State regulation was preserved to prevent the complete collapse of medicine and education. Liberalisation of grain export was also rejected, because Ukrainian exporters would have abandoned Ukraine's domestic market in favour of more profitable sales abroad (Aslund, 2009: 71). And although the parliament continued to block Kuchma's unpopular initiatives (aimed at land privatisation, reduction of social expenditures and tax reform (*EBRD Transition report*, 1999: 279), Kuchma himself did not aspire to full-scale liberalisation.

Table 4.2 Ukraine's economic transition, 1994-2000

	1994	1995	1996	1997	1998	1999	2000
Large-scale privatisation	1	2	2	2.3	2.3	2.3	2.7
Small-scale privatisation	2	2	3	3.3	3.3	3.3	3.3
Price liberalisation	2	3	3	3	3	4	4
Trade and forex system	1	3	3	3	2.7	3	3
Competition policy	n/a	2	2	2	2	2.3	2.3
Enterprise reform (governance)	1	2	2	2	2	2	2
Banking reforms	1	2	2	2	2	2	2
Non-banking financial institutions	n/a	2	2	2	2	2	2
Legal reform (extensiveness) of the company law	n/a	n/a	n/a	2	2	2	n/a
Legal reform effectiveness of the company law	n/a	n/a	n/a	2	2	2	n/a
Infrastructure reform rating	n/a	n/a	n/a	n/a	2	1.7	2

Source(s): EBRD, reports for various years

Note(s): Economic scores are ranked from 1 to 4.33, where 1 is not free market and 4.33 is advanced free economy.

As Table 4.2 shows, Ukraine's progress in reforms was limited to price deregulation, liberalisation of foreign exchange markets and small-scale privatisation — those areas which the former nomenklatura had already begun to take under their control. Monopolisation in the banking sector and trade, (*EBRD Transition report*, 1997: 209) became the reason behind the low crediting of non-state sector. Combined with poor protection of property rights, these prevented foreign investors from entering the country and left new business elites as the only potential buyers in the market.

By the end of the 1990s, Ukraine had managed to stabilise its economy, but did so without changing the underlying stimuli of its political and economic system. This period also corresponded with a growing criticism of the austerity measures promoted by IFOs in favour of government incentives to promote economic growth (Havrylyshyn, 2017: 92), which altogether led to the abandonment of reforms.

4.1.2.2. Building Ukraine's post-communist 'state capture'

Economic reforms slowed down in the period between 2000-2003 (Table 4.3.) simultaneously with the decline in the freedom of opposition and political

liberalisation (Figure 4.3 and Figure 4.5). Considering that the communists and socialists had already lost their majority in the parliament by the beginning of the 2000s, the main reason for the slowdown in reforms was the establishment of a competitive oligarchy (so-called *oligarchisation* of Ukraine) that overlapped with state capture as ‘a form of grand corruption’ (Hellman & Kaufmann, 2001).

Table 4.3 Ukraine’s progress in economic transition, 2000-2014.

	2000	2002	2004	2006	2008	2010	2012	2014
Large-scale privatisation	2.7	3	3	3	3	3	3	3
Small-scale privatisation	3.3	3.7	4	4	4	4	4	4
Enterprise reform (governance)	2	2	2	2	2	2.3	2.3	2.3
Price liberalisation	4	4	4	4	4	4	4	4
Trade and forex system	3	3	3.3	3.7	4.3	4	4	4
Competition policy	2.3	2.3	2.3	2.3	2.3	2.3	2.3	2.3
Banking sector reforms	2	2.3	2.3	3	3	3	2.7	2.7
Non-banking financial institutions	2	2	2.3	2.3	2.7	2.7	2.3	2.3
Infrastructure reform rating	2	2	1.7	1.7	2	2.3	2.3	2.3

Source(s): EBRD, Transition reports for various years

Note(s): Economic scores are ranked from 1 to 4.33, where 1 is not free market and 4.33 is advanced free economy.

Since 2015, transition indicators are calculated under different methodology as sector-level transition indicators

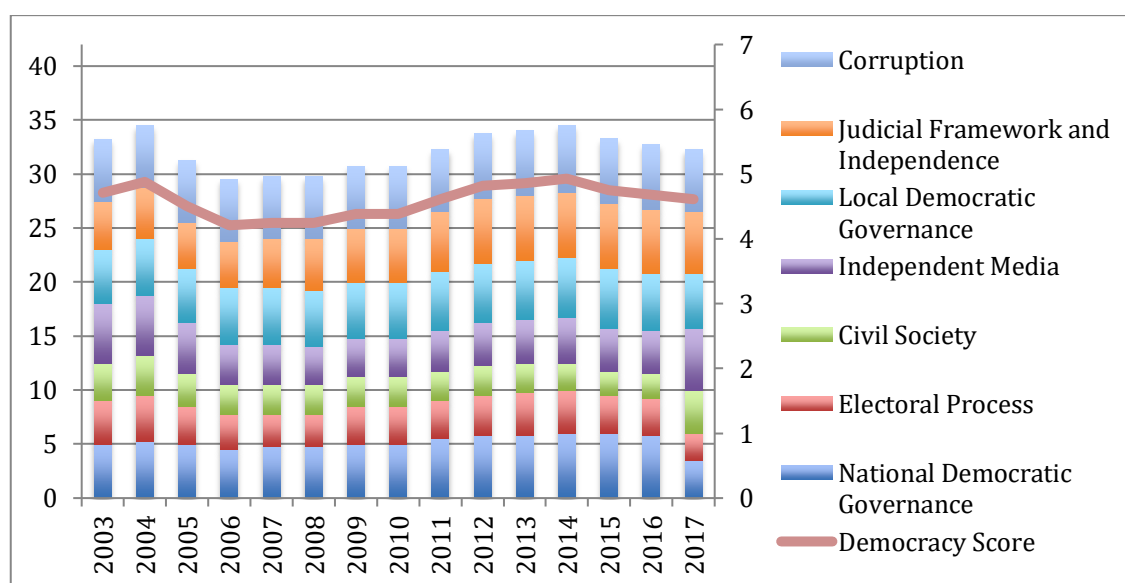


Figure 4.5 Ukraine’s democracy score, 2003-2017

Source(s): Freedom House (Nations in Transit).

The ability of the oligarchy to undermine reforms and compromise Ukraine's transparency in governance (Havrylyshyn, 2017: 201; Melnykovska & Schweickert, 2008; Figures 4.7 and 4.8) was formed on the basis of the Soviet state-controlled economy during the reforms vacuum in 1991-1993 (Section 4.1.1), since the survival of existing industries required government support or at least informal networking (an 'insider status' or 'insider connections' with law- and decision-makers) (Havrylyshyn, 2017: 211).

Delayed privatisation under the Kuchma's presidency not only failed to change these practices but in fact further strengthened the relationship between maximising profits and political influence as seen in access to state institutions. As a result, Ukrainian public associated the rise of the rich with mass privatisation, labelled *prikhvatizatsiya* (from Russian *khvatat* meaning 'to grab') and thereby with Kuchma's rule. The Ukrainian Union of Industrialists and Entrepreneurs which served as a networking platform for Kuchma during his electoral campaign in 1994, officially, supported a course of liberalisation and reforms but de facto promoted 'nomenklatura privatisation' (Fritz, 2007: 118-9), while the state supported this organisation by subsidising the enterprises that provided the Union with their services (Puglisi, 2003: 107).

Ukraine's state institutions became 'the platforms for Ukrainian political and economic elites to realise their corporate interests' (interview4) and were shaped in order to fit the personal interests of the captors (interview2) rather than to create a system of transparent governance. In this rent-seeker/rent-giver relationship, economic actors were provided with a political *roof* ('cover, protection'), while political actors gained financial support to 'consolidate their positions of authority' (Puglisi, 2008: 57).

Therefore, the rise of Kuchma in the opposition to the communist-socialist bloc (the reflection of power struggle between the parliament and the president) symbolised the rise of the oligarchical rule in the opposition to communists who refused any reforms that benefited new capitalists. For the same reason, Kuchma's soft liberalisation of prices and mass privatisation corresponded with business interests in making profits on the price arbitrage, property capture, and control of financial assets (Melnykovska & Schweickert, 2008; Table 4.2 and Table 4.3). Companies began to 'shape the laws, policies, and regulations ... by providing illicit private gains to public officials' (Hellman & Kaufmann, 2001) whereby deputy seat

granted juridical immunity to its owner and allowed to avoid prosecution (Havrylyshyn, 2017: 213-4) — a problem that remains unresolved.

In this context, Ukraine's extreme fragmentation in the parliament (Way, 2005, pp. 194-195) partially explains Ukraine's relatively high competitiveness of elections, while weak party institutionalisation (Figure 4.3) demonstrates that political parties have remained a tool of business- rather than policy-making.

After winning the 1999 presidential elections Kuchma continued to tighten control by establishing a new type of political regime in which 'the principle of political pluralism was replaced by the principle of oligarchic pluralism' (Prokop, 2013: 213). By that time he had already set up his own political party (the People's Democratic Party) with the aim to gain control over the parliament after the 1998 parliamentary elections. However, the party gained only 6.3% of votes (table below), and Kuchma began to rely on patronage networks based on Dnipropetrovsk *family*, local 'political coalitions built upon financial capital', and political parties supported by influential businessmen (Puglisi, 2003: 112-4).

The president began to play 'an "integrative role" over a potentially heterogeneous political environment' (Puglisi, 2003: 103) by appointing oligarchs from different business groups on president-controlled posts (including in the Cabinet of Ministers) (Melnykovska & Schweickert, 2008b) and performing as an 'arbitrator' among oligarchical clans (Prokop, 2013). Kuchma's prosecution of Lazarenko for fraud and money laundering became an example of this ability of the president and a warning for the rest of the oligarchs.

Lazarenko was a prime minister in Kuchma's government in 1996-1997 and together with his deputy Tymoshenko is believed to have made his capital mainly on trade with gas (Fritz, 2007: 120). However, when Lazarenko's party Hromada gained almost as many votes (4.52%) as Kuchma's party in the 1998 parliamentary elections (Table 4.4), a growing opposition and even a conflict between the former allies broke out.

The conflict paralleled the change in the balance of power among Ukrainian oligarchs (Bondarenko, 2002), since several gas companies (Industrial Union Donbass and state company Republic later reorganised in currently operating Naftogaz) competed with Lazarenko's United Energy Systems of Ukraine for gas market (Obozrevatel, 2008). The balance was disrupted when local administration in the Donetsk region (one of the biggest industrial centres and thus energy

consumers) preferred its own regional trader, the Industrial Union Donbass, to rapidly expanding the United Energy Systems of Ukraine.

In the gas conflict, Kuchma took an arbitrary stance by prosecuting formerly Lazarenko (Obozrevatel, 2008) and discouraging the remaining gas competitors. Consequently, the position of the leading gas trader was taken by another Ukrainian company Naftogaz which evolved into a monopolist in gas transit, import, and distribution in Ukraine and remains so today (Obozrevatel, 2009).

The whole situation indicated the dominance of a one-man regime over the oligarchical pluralism initially supported by big businesses. Kuchma's growing authoritarianism motivated those oligarchs who remained outside the president's inner circle to take control over presidential authority or to oppose it. As a result, the remaining outsider oligarchs began to form their own anti-Kuchma coalition in the beginning of the 2000s (Melnikovska & Schweickert, 2008b) — a process that culminated in the Orange revolution which will be discussed in more detail in the next section.

To summarise the above discussion, oligarchs became the main product of merging capitalist practices into the communist-socialist fabric. On the one hand, they were the only power capable of sustaining economic activities and shaping the market in the beginning of Ukraine's transition (Aslund, 2009: 262), while, on the other hand, they prospered primarily by distorting the economic environment (Hellman & Kaufmann, 2001).

Access to state-backed benefits (a direct outcome of the nomenklatura system) resulted in small businesses remaining underdeveloped because oligarchies prevented new actors from accessing the market (Aslund, 2007: 273), while large businesses remained under-restructured, because capturing the state benefited Ukrainian oligarchs more than the competitive market and transparent governance (Havrylyshyn, 2017: 201). Not only would such a situation have undermined the consolidation of Ukraine's democratic institutions in the long run (in line with the modernist and transitologist arguments), but it also prevented both the construction of transparent democratic institutions with equal participation and the introduction of efficient economic practices.

Table 4.4 Ukraine's parliamentary elections: voting results and characteristics of main political parties

Elections year	Voters turnout	Electoral system	Elections results	Characteristics of main parties
1994	74.8% for the first round 56.8% for the second round	Majoritarian: plurality voting, two-round system	<p>Left: Communist Party of Ukraine — 86 seats (19.12%) Peasant's Party — 18 seats (4%) Socialist Party — 14 seats (3.12%)</p> <p>Centrist: 17 seats (3.78%) including Kuchma's Inter-regional Bloc for Reform</p> <p>Right: Rukh (People's Movement of Ukraine) — 20 seats (4.45%) Other moderate nationalists — 15 seats (3.34%) Extreme nationalists — 5 seats (1.12%)</p> <p>Independents — 163 seats (36.23%)</p>	Communist Party of Ukraine — re-established in 1993 after the dissolution of the CP(b)U and formally not its apostate. Slogan 'Workers of all countries unite!', supports communism, Marxism-Leninism.
1998	70%	Mixed (majority – proportional representation)	<p>Left: Communist Party — 115 seats (26.03%) Socialist-Peasants' Alliance — 28 seats (6.33%)</p> <p>Centrist: People's Democratic Party (NDP) — 28 seats (6.33%) "Hromada Bloc" — 20 seats (4.52%) — established by Lazarenko and Turchynov</p> <p>Right: Rukh (People's Movement of Ukraine) — 42 seats (9.5%)</p> <p>Independents — 138 seats (31.23%)</p>	Rukh (People's Movement of Ukraine) established as a national-democratic political party in 1993. Centre-right, nationalist, pro-European. Slogan 'Statehood, Democracy, Reforms'

2002	69%	Mixed (majority – proportional representation)	<p>Left:</p> <p>Communist Party of Ukraine — 66 seats (14.67%)</p> <p>Centrist:</p> <p>Our Ukraine (included Rukh and a number of nationalistic and liberal parties) — 112 seats (24.89%), leader Yushchenko</p> <p>For a United Ukraine (an alliance of left Working Ukraine and centrist People’s Democratic Party, Party of Regions and Agrarian Party of Ukraine) — 102 seats (22.67%), leader Lytvyn</p> <p>Independents — 95 seats (21.12%) and others (including left “Socialist Party”, leader Moroz and centrist “Bloc of Yuliya Tymoshenko”, leader Tymoshenko)</p>	<p>Our Ukraine established in 2001 in the opposition to Kuchma by former officials. Centre-right, national-democratic, euroatlantic.</p>
				<p>For a United Ukraine established in 2001 in support of Kuchma. Centrist, pro-regionalist, pan-Slavic</p>
2006	67.13%	Purely proportional representation	<p>Left:</p> <p>Socialist Party of Ukraine (SPU) — 33 seats (5.67%)</p> <p>Communist Party of Ukraine — 21 seat (3.66%)</p> <p>Centrist:</p> <p>Party of Regions (former For a United Ukraine) — 186 seats (32.12%), leader Yanukovich</p> <p>Bloc of Yuliya Tymoshenko — 129 seats (22.27%)</p> <p>Our Ukraine — 81 seat (13.94%)</p>	<p>Party of Regions, established in 1997. Centrist, regionalist, eurosceptical. Slogan “Strong regions! Strong state! Rich people!”</p>
				<p>Bloc of Yuliya Tymoshenko founded in 2001 in the opposition to Kuchma. Centre-left, solidarist, pro-European.</p>
2007	62.02%	Purely proportional representation	<p>Left:</p> <p>Communist Party of Ukraine — 27 seats (5.64%)</p> <p>Centrist:</p> <p>Party of Regions — 175 seats (35.94%)</p> <p>Bloc of Yuliya Tymoshenko — 156 seats (32.12%)</p> <p>Bloc Our Ukraine – People’s Self-Defence (former Our Ukraine) — 72 seas (14.81%)</p> <p>“Bloc of Lytvyn” (fragmented from former “For United Ukraine”) — 20 seats (4.15%)</p>	

2012	57.43%	Mixed (majority – proportional representation)	<p>Left:</p> <p>Communist Party of Ukraine (KPU) — 32 seats (7.12%) and “Soyuz” (Union) party — 1 seat (0.22%)</p> <p>Centrist:</p> <p>Party of Regions (leader Azarov) — 185 seats (41.12%)</p> <p>Batkyvschyna (Fatherland) (former Bloc of Yuliya Tymoshenko, leader Yatsenyuk) — 101 seats (22.45%)</p> <p>Ukrainian Democratic Alliance for Reform (UDAR) (former European capital, leader Klytchko) — 40 seats (8.89%)</p> <p>Others (United Centre and Party of Pensioners of Ukraine)</p> <p>Right:</p> <p>Svoboda (Freedom) — 37 seats (8.23%)</p> <p>Radical Party (leader Liashko) — 1 seat (0.22%)</p> <p>Independents — 43 seats (9.56%)</p>	<p>Svoboda (Freedom) founded in 1992.</p> <p>Right, far-right. Nationalist, populist, Eurosceptical. Slogan ‘We are the Ukrainians. We are in our country given by God. God, give us the victory to become the founders of the Great State’</p> <p>Ukrainian Democratic Alliance for Reform (UDAR) founded in 2005. Centrist, liberal-progressive, euroatlantic. Slogan ‘From the success of an individual to the success of the country!’</p>
2014 (were not held in 15 constituencies of Donetsk and Luhansk and 12 single-seat constituencies in Crimea and Sevastopol)	52.42%	Mixed (majority – proportional representation)	<p>Centrist:</p> <p>Bloc of Petro Poroshenko (leader Klytchko) — 147 seats (32.67%)</p> <p>People’s Front (leader Yatsenyuk) — 83 seats (18.45%)</p> <p>Opposition Bloc (mainly former Party of Regions) — 40 seats (8.89%)</p> <p>Others: liberal-nationalist Samopomich (Self Reliance), two deputies groups (People’s Will, Economic Development) and Batkyvschyna (Fatherland) with leader Tymoshenko</p> <p>Right:</p> <p>Radical Party — 22 seats (4.89%)</p> <p>Independents — 38 seats (8.45%)</p>	<p>Bloc of Petro Poroshenko founded in August 2014 to promote Poroshenko’s programme in the parliament. Centre-right, liberal conservative, Euroatlantic.</p> <p>People’s Front registered in March 2014 when Yatsenyuk and Turchinov left Batkyvschyna. Centre-right. Pro-European.</p>

Source(s): Inter-Parliamentary Union (PARLINE) and RBK Ukraïna (2012, 2015)

Note(s): the main political forces are highlighted in bold

As a result, Ukraine's economic growth in the beginning of the 2000s (figure below) became the product of an extensive growth spurred by a fall in the price of oil, differences in international currency rates, cheap labour force government subsidising (*EBRD Transition report*, 1997: 10; Havrylyshyn, 2017: 96-7) but not by a more efficient production stimuli. Similarly, the physical volume of Ukraine's GDP in 2000 constituted only 43.2% of its 1990 output. The share of innovative production in industrial output did not exceed 9.4% in 2000 and was slowly declining with its lowest mean of 1.4% in 2015 (SSCU, 1998-2017). Only exploiting industrial capacities inherited from the Soviet Union and the favourable international conjuncture temporarily allowed Ukraine's 'bad' governance (Figure 4.7) to miraculously correlate with rapid economic growth (Larsson, 2006).

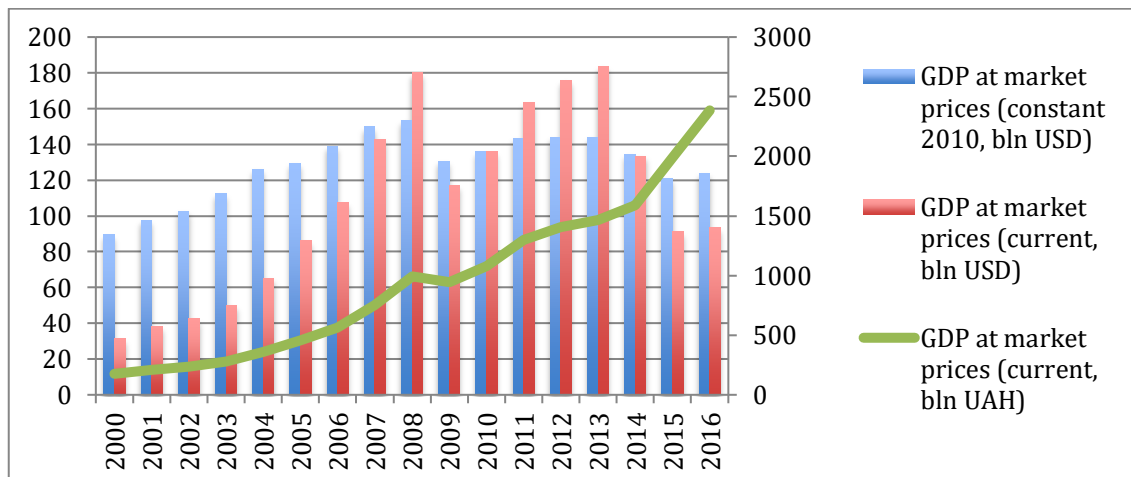


Figure 4.6 Ukraine's GDP at market prices, constant and current in the U.S. dollar and Ukrainian hryvna for the period 2000-2016

Source(s): State Statistics Committee of Ukraine (SSCU), WB

Notes(s): Data since 2010 exclude Crimea, data since 2014 and onwards exclude Crimea and the territories of the anti-terrorist operation (ATO)

Meanwhile, the 'coalescence of political and economic capital' (interview3) led the corruption perception index for Ukraine in 2000 to be at its worst, and the situation did not change dramatically even in the subsequent years: Ukraine remained at approximately the same level of corruption as Russia, significantly ceding to EU members, including former communist Poland (Figure 4.8).

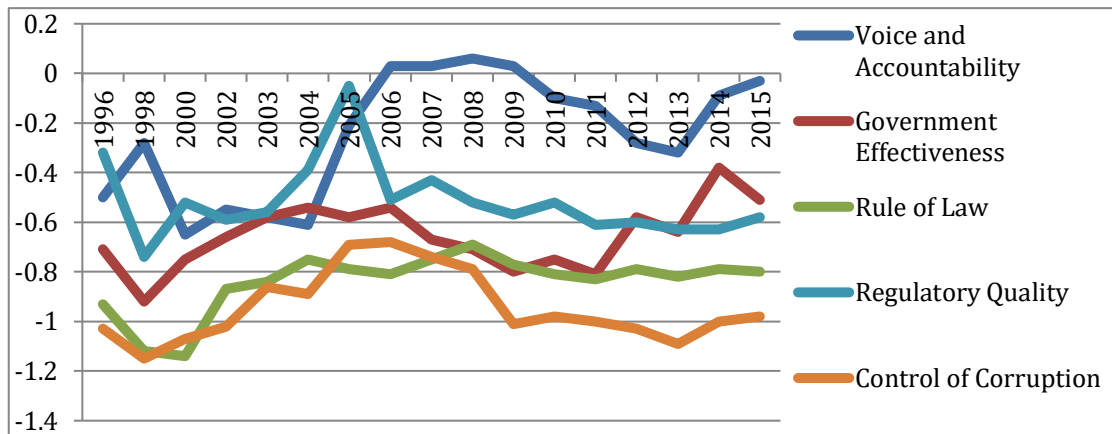


Figure 4.7 Selected governance indicators of Ukraine, 1996-2015

Source(s): World Bank, Worldwide Governance Indicators

Note(s): governance is measured on a scale from -2.5 to +2.5, where a higher meaning corresponds with better governance.

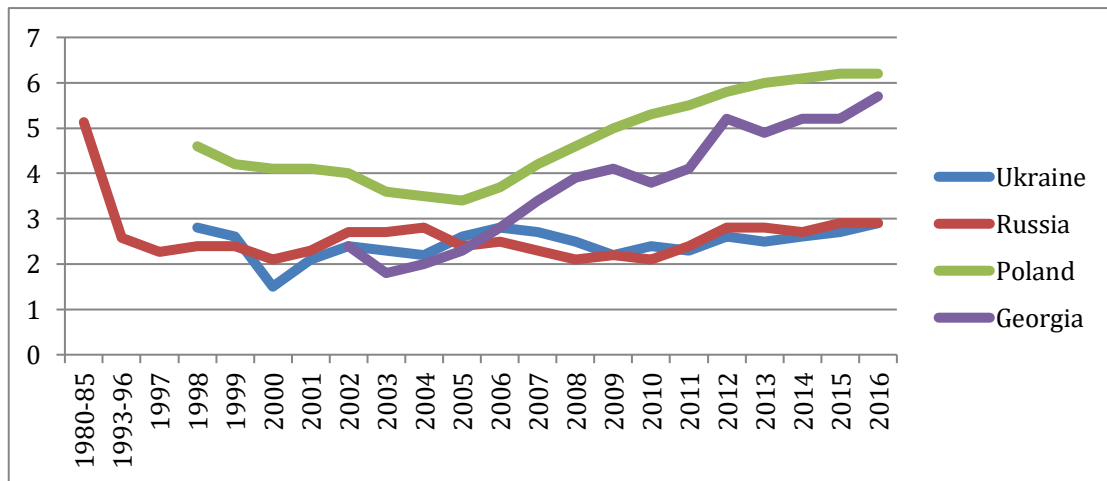


Figure 4.8 Corruption perception index for Ukraine, Russia, Poland and Georgia, 1980-2016

Source(s): Transparency International, reports for various years

Note(s): 10 is the least corrupted, 0 is the most corrupted. Data for the USSR (1980-85) and Russia (1993-96) may be to a degree extended to Ukraine.

Importantly, whereas a democratic revolution in 2003 in Georgia resulted in positive changes in the country, the same did not occur in Ukraine (as will be discussed later in this chapter). Meanwhile, the expansion of the illegal economy, the lack of transparency and accountability, and the distortions in state apparatus weakened Ukraine's bureaucracy preventing the country from achieving vitally needed reforms and securing the requisite resources for these reforms (Hellman, 1998). The conflicts between different economic clans were promoted to the state

level and led to a general instability and demolition of state institutions (Melnykovska & Schweickert, 2008b).

Whereas some view this state of politics as a transitional stage towards democracy (Nodia, 2002), others consider it as an alternative to it. Thus, Puglisi (2003) distinguishes two directions in which oligarchical societies could potentially evolve. These are fragmentation of the ruling elites and a consequent loss of power or the rise of a strong president who would undermine the power of the oligarchy (117-8). The next section demonstrates that Ukrainian oligarchical evolution was cyclic, resulting in neither strong democratisation nor strong authoritarianism. This further stresses the importance of agency for the overall success of post-communist democratic and economic transformations in Ukraine.

4.2. The cyclic nature of Ukraine's hybrid regime: between competitive oligarchy and competitive authoritarianism

This section demonstrates that Ukraine's democratic upswings and incidences alternated, whereas the strong oligarchy of the post-revolutionary period contrasted with the strong presidency between the democratic revolutions. Nevertheless, in both cases Ukraine's political system could be classified as 'oligarchic capitalism' (when oligarchs fully control weak state institutions) rather than 'diffuse' capitalism (when political power does not necessarily guarantee economic enrichment).¹⁴

4.2.1. Mapping the fragmenting Ukrainian oligarchy

By the end of the 1990s, Ukraine's political parties remained weak (Fritz, 2007: 109-10) and opaque oligarchic groups remained fragmented. The leading oligarchic clans slowly evolved into more complex financial-industrial groups and their mapping became crucial for understanding Ukrainian politics.

The rise of oligarchy took place primarily in the country's economic centres: Donetsk and Dnipropetrovsk (currently renamed as Dnipro) in such sectors as metallurgy, financing and energy (gas trade), and regional structures soon evolved in nation-wide business groups (Table 4.5). The biggest financial-industrial

¹⁴ This classification was provided in Aslund (2007: 264-5)

(oligarchical) clans were and are Privat Group (Kolomoysky, Bogolyubov) and System Capital Management (Akhmetov, Novinsky) (Chervonenko, 2015) whose owners often comprise the top ten of Ukraine's wealthiest. Competing in metallurgy and banking, these two business groups evolved as major economic rivals, which was reflected in the political preferences of their owners: the Privat Group supported the Orange and then the Maidan revolutions, while Akhmetov, Pinchuk and Firtash united around Kuchma's candidate for the 2004 presidential elections Yanukovych and the Party of Regions (Table 4.4 and Table 4.5).

The Orange coalition that supported the Orange revolution which will be discussed in the next section consisted of such parties as Our Ukraine and Bloc of Yuliya Tymoshenko and their leaders and was also supported by some smaller oligarchs such as Poroshenko, Taruta and Zhevago. However, each of them bid on different candidates: Poroshenko had friendly relations with Yushchenko, while Zhevago sponsored Tymoshenko's parties Fatherland and then the Bloc of Yuliya Tymoshenko (LIGA. Dosie, 2017).

Meanwhile, sectorial competition appears a more important factor in determining opposition among oligarchical groups than their affiliations to particular regions. Akhmetov and Taruta were competing in the Donetsk region for metallurgy; Tymoshenko who made her fortune with Lazarenko on gas trade opposed Firtash, engaged with previously mentioned Naftogaz. In contrast, Poroshenko who made a fortune in candy-making and represented the interests of agribusiness maintained his position under both the *orange* and *blue* regimes: he worked as a head of the NBU under Yushchenko as well as in the Ministry of Foreign Affairs and in the Ministry of Economy and Trade under Yanukovych.

By the end of the 1990s and the beginning of the 2000s, Ukrainian oligarchs were divided primarily into those who had gained positions in Kuchma's inner circle and those who were ousted from it. In this regard, the case of Lazarenko (pp. 121-2 of Section 4.1.2.2) became a turning point for Ukraine's politics. By prosecuting people from his inner circle and disregarding the interests of the remaining oligarchs, Kuchma strengthened the opposition to his regime, including among former allies (Way, 2005b).

Table 4.5 A list of selected Ukrainian oligarchs and political actors with their respective business and political affiliations

	Key positions in state administration	Estimated wealth, mln USD, 01 April 2017	Sector	City/region	Political force	Main companies	Media (TV channels)
Victor Pinchuk	Deputy of the Supreme Council (1998-2006)	1200	metallurgy, media	Kyiv	Anti-hero of the Orange revolution; party Viche	Interpipe	Novyi kanal, M1, STB, Q-TV, ICTV
Dmitry Firtash	other	251	media, chemicals, banking, gas	Ternopil, Kyiv	Sponsor of the Party of Regions	Bank Nadra (bankrupted in 2015), Nafotgaz	Inter
Serhiy Tyhypko	Deputy prime minister (1997-1999, 2010-2012); Head of the NBU (2002-2004)	495	banking, machine building	Dnipro-petrovsk	In office under Kuchma, Orange coalition and Yanukovich	Pryvat Group	
Pavlo Lazarenko	Prime Minister (1996-1997)	280 (1999)	energy, gas	Dnipro-petrovsk	In office under Kuchma; party Hromada (1997)	United Energy Systems of Ukraine	
Yuliya Tymoshenko	Minister of Fuel and Energy (1999-2001), Prime Minister (2005, 2007-2010)	1000	energy, gas	Dnipro-petrovsk	Orange coalition; parties Fatherland (1999), Bloc of Yuliya Tymoshenko (2002)	United Energy Systems of Ukraine	

Konstantin Zhevago	Deputy of the Supreme Council (1998-onwards)	431	financing, metallurgy	Russia	Sponsor of the Bloc of Yuliya Tymoshenko	Ferrexpo	
Gennadij Bogolyubov	-	1300	banking, energy	Dnipro-petrovsk	Co-owner of Privat Group and supporter of Kolomoysky's course	Pryvat Group, Ukrnafta	
Ihor Kolomoysky	Governor of the Dnipropetrovsk region (2014-2015)	1300	banking, gas and oil, media	Dnipro-petrovsk	Supporter of the Maidan coalition	Pryvat Group	1+1, 2+2
Petro Poroshenko	Head of the NBU (2007-2012), president of Ukraine (2014-onwards)	858	Agri-business, media	Odessa, Kyiv	Supporter of Yushchenko, the Orange and Maidan coalitions; in the office under Yanukovich; parties Our Ukraine; formed his party Solidarity	Roshen	5th Channel
Serhiy Taruta	Governor of the Donetsk region (2014)	126	metallurgy	Donetsk	Supporter of Yushchenko, the Orange and Maidan coalitions	Industrial Union Donbass	
Rinat Akhmetov	Deputy of the Supreme Council (2006-2010)	2300	metallurgy, fuel-energy	Donetsk	Main sponsor of the Party of Regions and Yanukovich	System Capital Management	TRK Ukrayina

Source(s): Chervonenko (2015), Forbes, LIGA.Dosie (2017), Puglisi (2008)

Whereas Lazarenko (together with his deputy Tymoshenko) and, later on, Yushchenko were removed from Kuchma's inner circle due to their growing popularity (LIGA. Dosie, 2017), they were the ones who formed the core of the opposition to Kuchma later on. Therefore, Ukraine's decline in freedom of opposition, independence of media and struggle against corruption during the discussed period (Figure 4.3, Figure 4.5, Figure 4.7 and Figure 4.8) indicated Kuchma's decision on undermining specific oligarchs and business groups, many of whom represented the opposition and had their own media.

The political counterstand had already revealed itself in November 2000 with the outburst of the tapegate scandal (also known as Kuchmagate scandal), which erupted around audio records that provocatively proved the engagement of Kuchma in the murder of the journalist Gongadze. Their release was followed by several attempts at presidential impeachment in the parliament and saw the peak of popular distrust of Kuchma at 60% (Grokholskaya, 2010).

Throughout December 2000-March 2001 the opposition supported mass protests (so-called Ukraine with no Kuchma, or Kuchma Het organised mainly by Tymoshenko and her party members such as Turchynov and Lutsenko) and demanded Kuchma's resignation. He remained in power, but during the parliamentary elections of 2002 the opposition party Our Ukraine headed by the former Prime Minister Yushchenko won most of the votes (23.57%) closely followed by the communists (19.98%), socialists (11.77%) and the Bloc of Yuliya Tymoshenko (7.26%) (Table 4.4). Therefore, the results of the upcoming 2004 presidential elections were crucial for gaining a decisive political victory for any of the parties.

In the meantime, the 2002 parliamentary elections also revealed that Ukraine's system of oligarchic capitalism had been institutionalised through the parliamentary-presidential power struggle. Those financial centres that did not get Kuchma's *roof* as protection had to develop a different mechanism for the protection of their interests through the parliament. This partially explained why parties that formed the basis of the Orange coalition had been created before the revolution, while parties in support of Kuchma were created only on the eve of the elections (Table 4.4 and partially Table 4.5).

Both trends were reflected in the preparations for the 2004 presidential elections as well. Having removed Yushchenko and his cabinet, Kuchma began to promote Yanukovych as a successor, making him prime minister. The Party of regions was quickly re-formatted into a big political force that created its faction, Regions of Ukraine, in the parliament (LIGA, 2010). By the time the Orange revolution broke out, both parties had already decided on their candidates and had even set up a party base for the support of these candidates.

The afore-listed political developments demonstrate that even though Ukraine had followed a path of non-democratisation, its rigid institutional environment did not prevent the opposition from uniting around one leader for the time of the elections and institutionalising through political parties (e.g. for agent-driven factors of democratisation to remain in force). Moreover, the political situation at the time resembled a crisis that could produce an impetus for institutional change. The next section explores how this promise has evolved in Ukraine and why it has not resulted in actual democratisation.

4.2.2. The origins and various facets of the Orange revolution

The above-described explanation of the causes of the Orange revolution (the first of the two Ukrainian democratic revolutions) may appear as an attempt to belittle the revolution, because democratic revolutions represent popular uprisings against the corrupted regimes and are viewed as a voice of the people (McFaul, 2002, 2010; Way, 2005a). However, without political support of the organised opposition, both Ukraine's democratic revolutions were more likely to fail. Similarly, both Ukrainian democratic revolutions succeeded primarily in overthrowing the regime rather than actual democratisation, which in terms of outcomes negates their title as revolutions in traditional sense. This section concentrates on the political and popular aspects of Ukraine's first democratic revolution in order to explain why its impact on democratisation was limited.

According to the explanations developed in the flow of the 2000s' democratic revolutions (Beissinger, 2011; McFaul, 2005), in the beginning of the 2000s political balance in Ukraine favoured a 'democratic breakthrough' (Kuzio, 2008). Kuchma's alliances became unstable, forcing him to shift from his traditional financial base in Dnipropetrovsk towards the Donetsk candidate

Yanukovych. The Tapeagate scandal and public protests undermined the popularity of the regime, and, after a period of stability and economic growth (another thesis in support of transitology and modernisation), Ukrainians felt ready for a qualitative change. Meanwhile, the opposition united around one candidate with reformist background, Yushchenko, who was viewed as a victim of Kuchma's authoritarianism and appeared a balanced and moderate political candidate who could cater to the diverse opposition forces.

As such the nature of competition within Ukraine's competitive authoritarianism provided the opposition with the necessary tools to challenge power. For example, although Ukrainian authorities faced no real threat from civil society, their former allies constantly challenged each other for privileged positions (Way, 2005c), as was revealed by the case of Lazarenko (pp. 121-2, 129 of this Chapter) as well as the Tapeagate scandal initially launched by socialist leader Moroz.

In addition, former allies were often reluctant or even unable to defend the regime they had earlier supported as the regime weakened. Such behaviour represented one of the remnants of communist political culture and has remained intact to this day. Most Ukrainian politicians (including oligarchs) have no clear preferences (the so-called *swamp*) and often accommodate ('bandwagon') changes (Pleines, 2016: 126) instead of actually opposing the party of the power (D'Anieri, 2012: 455). During the 2004 presidential campaign some oligarchs even supported both Yanukovych and Yushchenko to stay on the safe side of politics (Privat Group and Kuchma's son-in-law Pinchuk) (Hale, 2005: 152). Therefore, portraying some candidates as democrats and others as anti-democrats would be too narrow a depiction, because they were supported by forces generally not interested in building transparent state institutions.

Meanwhile, the success of democratic revolutions strongly depended on the use of public opinion as a source of legitimisation of regime change. In opposition to Kuchma's virtualisation of democracy, the opposition turned to social mobilisation (protests) and media, because Ukraine's civil society was still too weak to drive mass mobilisation, although it became more visible from the mid-2000s (McFaul, 2005).

Importantly, the situation with media has not changed significantly throughout Ukraine's transition. Whereas Ukrainian media represented a tool of oligarchic control in the 2000s (the largest media cohorts were controlled by Firtash, Kolomoisky and Pinchuk), in 2016 75% of Ukraine's media still belonged to oligarchs (Ukrainska Pravda, 2016). Therefore, communication of the position of a political candidate depended on and still depends on his or her relation to a specific oligarchical camp. During the first two rounds of the 2004 presidential elections, only the 5th channel (owned by Poroshenko who joined the Orange camp) supported Yushchenko's candidacy (OSCE, 2005: 19-23). Under the circumstances, the Orange camp began to work more actively on the ground: orange was chosen as a symbolic colour for the opposition candidate Yushchenko (and it endowed the revolution with a name), while oligarchs supporting the opposition invested around 150 mln USD in the Orange electoral campaign (Way, 2005c). Already during the final vote on November 21, 2004 thousands of supporters of the Orange candidate, including youth movement Pora, gathered in the independence square awaiting the results.

The mismatch between the first results of the elections (Yanukovych leading) and exit polls on the election day (predicated Yushchenko's victory) coupled with the evidence of electoral fraud launched the protests at once. Having begun with 500 participants on the morning of November 22, the protests quickly grew to 80 thousand in the evening and varied between 200 thousand and a million when joined by people from the regions. The rally represented a mix between a rock-concert and street protests, pointing to the festive, collaborative and peaceful character of the event (Beissinger, 2011).

For two months the Orange revolution had been the unique Event leading to a massive change in public attitudes (Katchanovski, 2008). Ukraine's democratic institutions, although remaining part of a hybrid regime made ordinary citizens perceive elections as their sacred and inseparable right (Levitsky & Way, 2002) and electoral fraud as an open robbery by Kuchma's regime (Kalandadze & Orenstein, 2009). The protests also became a reflection of the scale of popular discontent with corruption and state capture. As such, the Orange revolution became the first grand-scale event in independent Ukraine

which, from the viewpoint of the protesters, revealed that ordinary people could cause a political change in the country.

On 3 December 2004 the Constitutional Court had adopted the decision to re-run the elections on 26 December 2004, and the protesters had not left the streets until their candidate won. Along with the official inauguration, Yushchenko also held public inauguration at the main protesting area — Maidan Nezalezhnosti (Independence Square) — on 23 January 2005.

Yet similar to other urban revolutions that sparked in a relatively short period of time, the Orange revolution represented ‘the semblance but not the substance of democratic change’ (Beissinger, 2013: 590). The Orange revolution did not lead to a change in public values, because the participants differed in their political orientations and in background: 40% of them simply stood for ‘values of a just, democratic society’ and their understanding of reforms was rather contradictory (582). The distinct groups of protesters were attracted by different leaders of the Orange movement and were united primarily owing to their disdain for Kuchma’s political regime.

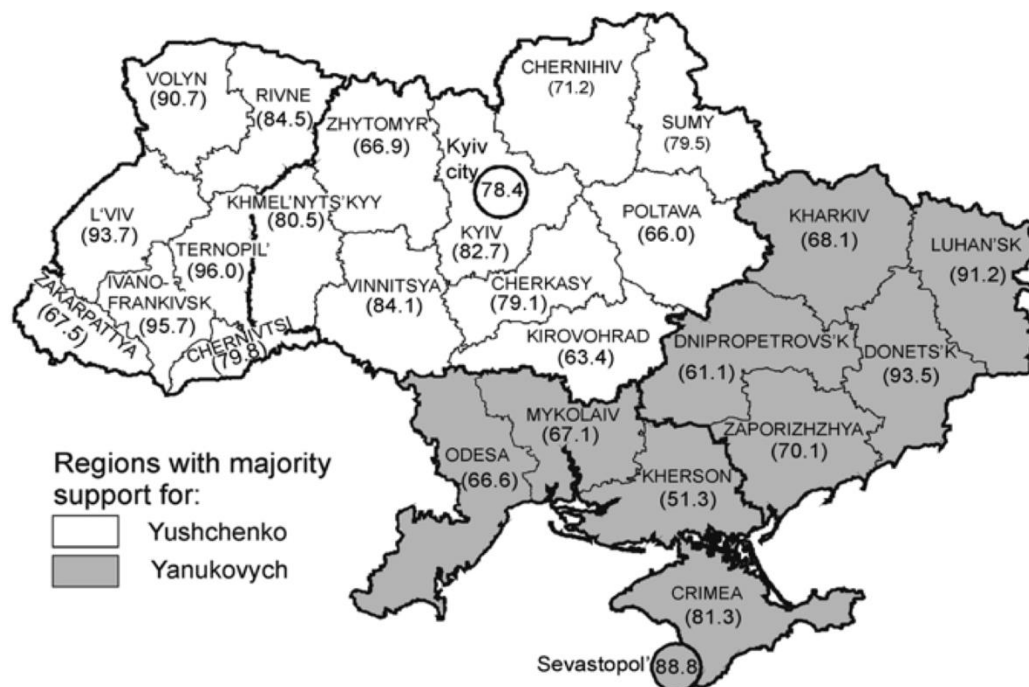
Similarly, the Orange revolution did not consolidate Ukrainian society around liberal values. Sociological differences portrayed the revolutionaries as generally happier and wealthier ‘want-mores’ in contrast to fewer ‘have-nots’ that supported the old regime (Beissinger, 2013: 586). At least half of the protesters (Ukrainian-speakers from Western Ukraine) supported the civic discourse of return to Europe (Kuzio, 2008) and were contrasted to anti-revolutionary Russian-speakers from Eastern Ukraine — a division which was set in region-identity politics and continues to be visible in present-day Ukraine (identity divisions and regionalism will be discussed in more detail in Section 4.3 of this chapter).

Therefore, although public aspirations towards democratic change increased significantly during the Orange revolution and became the driving force behind the protests, the gap between political and popular expectations promised to grow into the main barrier in Ukraine’s democratisation afterwards. For policy-makers, the Orange revolution represented an attempt to create a balance among various oligarchical clans bypassing the president to secure oligarchical power. From the public viewpoint, the revolution represented Ukraine’s striving

for an open democratic society without oligarchic control, and this gap naturally threatened the outcomes of the revolution.

4.2.3. The controversial outcomes of the Orange revolution

During the Orange revolution, the competition within the established system of oligarchic capitalism only strengthened. Kuchma's retreat from Dnipropetrovsk clan in favour of Donetsk candidate led to a split between the two industrial-financial groups (D'Anieri, 2012: 455); while regional elites in the South-East (Donetsk) of Ukraine supported Yanukovych, those in Central and Western Ukraine supported Yushchenko. The same split occurred among Ukrainians in the respective regions along ideological, language, and religious lines as well as foreign policy preferences (Hale, 2005). Reflected in numerous infographics (as in map below) these differences raised a debate about Ukraine's regional divisions and suggested that the Orange revolution could perform as a critical juncture for post-communist transition of Ukraine.



Map 4.1 Ukraine's voting pattern during the third round of the presidential elections (December 26, 2004) in per cents of the votes gained by winning candidates in the respective regions

Source(s): retrieved from Åslund (2005: 331)

Some local elites (in Donbas) even used these differences to threaten a potential split of the country by offering to establish an autonomous republic on the territories won by Yanukovych. The territories were to cover the regions from Odesa to Luhansk resembling Novorossiia (New Russia) of the former Russian empire and were to follow the state-building example of the Donetsk-Kryvyi Rih Soviet Republic (Chapter 3 Section 3.4). However, when the Supreme Court of Ukraine officially declared the second round of presidential elections illegitimate, separatist rhetoric changed towards a more fluid 'empowerment of regions and self-administration' (Real'naia gazeta, 2016).

On 26 December 2004, the third round of elections was held, and Yushchenko won (51.99% versus 44.2% of Yanukovych). However, his victory did not result in significant changes: Ukraine became freer in media and accountability but failed to democratise in other areas (Figure 4.3, Figure 4.5 and Figure 4.7). The lack of shared agenda among the protesters explains why their support for reform disappeared as quickly as the need in protests after the victory (Beissinger, 2011). Even a slight improvement in the restraints on authorities (Figure 4.3) which became the main achievement of the Orange revolution due to adopted Constitutional reform was the result of a deal between the outgoing government and the Orange coalition (Kalandadze & Orenstein, 2009). Amendments to the Constitution which reduced the authority of the president were adopted by the Ukrainian parliament (including the Orange coalition) and were signed by Kuchma on 8 December 2004 (RIA News, 2006) prior to the third round of the presidential elections when none of the parties was sure in their victory.

As a result, although the Orange coalition had won, the power of its president was limited. Ukraine's parliament remained hard to control (communists had almost 15% of votes and Kuchma's bloc For a United Ukraine — almost 23%) (Kalandadze & Orenstein, 2009), and Yushchenko's own coalition began to undermine his authority by struggling for power from within. One of the indicative examples of this struggle was the reprivatisation programme launched in February 2005 by newly appointed Prime Minister Tymoshenko. Whereas the programme aimed at fair redistribution of economic power among Ukrainian businesses, its only real achievement was the reprivatisation of the

metallurgical plant Kryvorizhstal.¹⁵ In addition, Yushchenko opposed Tymoshenko's idea to expel those suspected of corruption from the office, because they would 'feel unjust' if she remained (Ukrainska Pravda, 2005), as her government was also blamed for corruption (Schularick, 2005).

Hence, the main problem of post-revolutionary Ukraine was not in the resumed authoritarianism but of a political 'stalemate' (D'Anieri, 2005). Yushchenko's attempt to restrain Tymoshenko by strengthening the authority of Poroshenko (and the Ukraine's Security Council) only added to the collapse of the democratisation efforts in Ukraine (Beissinger, 2006). As the parliament failed to create a working coalition, Yushchenko made an agreement with Yanukovych, which allowed the establishing Yekhanurov (Our Ukraine) government in September 2005. However, this government did not last long and in August 2006 Yanukovych was appointed the Prime Minister.

In turn, earlier agreement between Yanukovych and Yushchenko undermined Yushchenko's own popularity: during the parliamentary elections of 2006, the president's bloc received only 9.62% of votes in comparison with the 32.14% of votes received by Yanukovych's Party of Regions and 22.29% for Tymoshenko's Fatherland (Table 4.4.). Extraordinary parliamentary elections held in 2007 provided no solution, as the distribution of power remained similar. Tymoshenko's so-called second government was formed in coalition with Our Ukraine. However, this time, the coalition had no time to implement any reforms, because the 2008 global financial crisis struck.

Apart from the fragmentation of the Orange camp which led to the failure of democratic consolidation, the problem of Ukraine's state capture was not resolved as well: 'if before the revolution, politics ruled business, the Orange revolution gave the opportunity to big and medium-sized businesses to take power directly into their own hands' (Puglisi, 2008: 63). The power of the oligarchy grew (Katchanovski, 2008), and only Yushchenko's personal efforts ensured that the democratic trends prevailed.

¹⁵ In 2004, Akhmetov and Pinchuk bought the plant for 800 mln USD, while the cost of the enterprise was evaluated at 4 bln USD. Under Tymoshenko-promoted reprivatisation, Kryvorizhstal was sold to the foreign investor for 4.9 bln USD in 2005 (Havrylyshyn, 2017: 213).

Meanwhile, a set of gas conflicts with Russia emerged as another factor in Ukraine's politics. The conflict began in March 2005 with the attempt to replace barter transactions (wherein Russian gas was supplied at a cheap price as a cost of gas transit to Europe through Ukraine) with monetary equivalent. The parties could not reach an agreement on pricing and mediators (such as RosUkrEnergo), but also when the prices had been finally established, Ukraine turned out to be incapable of paying for supplies (Pirani, 2007). This led to a number of gas wars: the first ended in January 2006, the second took place between October 2007 and March 2008, while the third began in December 2008 and ended in January 2009 with the signing of a contract on gas transit and supply by Ukraine's Prime Minister Tymoshenko and Russia's president Putin.

Against the background of political instability, unpopular decisions and deteriorating economic situation, another paradox appeared — the candidate that had been removed from power by the Orange revolution, Yanukovych, won in the democratically held elections of 2010 by promising to resolve these issues (OSCE, 2010).

The importance of agency that had been revealed on the eve of and during the Orange revolution proved to be determinant in shaping the outcomes of the revolution as well. Whereas Yushchenko appeared to be upholding democratic principles, the pacted Constitutional reform limited his authority and ability to reform the country while political squabbles among the former allies blocked the work of weak state institutions. Therefore, not only the balance of power but also the qualities of political leaders appear to be important in producing or undermining institutional changes.

4.2.4. The background, the flow and the consequences of the Maidan revolution

The election of Yanukovych in 2010 became another reflection on the alternation of more democratic or more authoritarian regimes in Ukraine as a combination of different cycles within one hybrid regime (Hale, 2005) where electoral fallacy does not produce democracy (Schmitter & Karl, 1991) due to an absence of institutional changes (Schularick, 2005).

After the elections, Yanukovych began to take over the juridical system through ‘politically biased replacement’ of courts personnel (*Nations in Transit*, 2011). The Constitutional Court allowed to adopt the laws by a simple majority vote, producing an easily modified political swamp. The Constitutional reform of 2004 was also abandoned in September 2010 negating the single achievement of the Orange revolution. As a result, control over authorities reversed to the 1994-2003 level (Figure 4.3), while freedom of media and electoral process worsened (Figure 4.5). Together with almost doubled growth of wealth among selected Ukrainians, these developments were reflected in the perceived growth of corruption (Figure 4.8).

In 2011, the number of Ukrainian billionaires increased from 8 to 23, and their geography expanded (Focus, 2011). Between 2010 and 2013, Yanukovych eldest son increased the value of his assets from 7 to 510 mln USD, becoming the second richest person in Donetsk after Akhmetov (Anti-Corruption Action Centre, 2017). Noteworthy, Yanukovych strengthened the power of his *Family* for the cost of the Donetsk group, which negatively affected his relations with the clan — the factor that proved important during the Maidan revolution (*Nations in Transit*, 2013).

In turn, the administrative reform of 2011 which aimed for the reduction of bureaucratic apparatus was used to eliminate political opponents from crucial positions in regions and to further strengthen the president’s authority (*Nations in Transit*, 2012). As such imprisonment of Tymoshenko for ‘misuse of power’ in signing a gas deal with Russia in 2009 (Guardian, 2013) became a symbol of oppressing the opposition.

The parliament elections of 2012 also demonstrated a general decay in electoral freedom (*Nations in Transit*, 2013). The Party of Regions (headed by acting prime-minister Azarov) gained a slight majority (29.37%) followed by Fatherland (24%) (Yatsenyuk became the leader of the party), and although new political parties appeared in the parliament, none of these forces could produce a stable majority: the oppositional UDAR headed by Klytchko (13.96%), nationalist Freedom (10.44%) or communists (13.18%) had nothing in common (Table 4.4).

As a result, Ukraine remained a formal democracy officially aspiring for reforms but de facto implementing none. Ukrainian officials actively engaged international organisations in drafting key law proposals but adopted the less transparent versions of them. Having refused from the anti-corruption law developed by the Council of Europe's Group of States against Corruption (GRECO) (*Nations in Transit*, 2012), Yanukovych became the head of the Anti-Corruption Committee in 2010 instead (*Nations in Transit*, 2013).

As Ukraine's economy remained relatively stable (Figure 4.4 and Figure 4.6) Ukraine's economic restructuring practically stopped. By 2010 Ukraine had primarily accomplished its reforms in large- and small-scale privatisation, price deregulation and liberalisation of trade and forex, while the most important competition policy continued to stall with the pulled down liberalisation of banking and non-banking sectors (Table 4.2 and Table 4.3).

Given the afore-mentioned, the situation in Ukraine resembled the one on the eve of the Orange revolution: illiberal practices were strengthening against the background of stable economy, while civil society remained generally free (*Nations in Transit*, 2012; Figure 4.5). Even the Tax Maidan arranged against the adoption of new Tax Codex in 2010 resembled a protesting try-out similar to Ukraine without Kuchma that preceded the Orange revolution.

However, a bigger occasion for questioning the legitimacy of political leadership appeared when Yanukovych refused to sign the Association Agreement (AA) with the European Union on 21 November 2013 (more explanations on why and how this happened will be provided in Chapter 5). Supporters of the Association began their demonstrations the same day (Euromaidan); however, these turned in a full-scale anti-governmental uprising after an attempt of dispersal on 30 November. On 01 December, the opposition (mainly Fatherland, UDAR and Freedom) arranged a March of a million which spilled into the storming of the president's administration (ICTV, 2013). The protests continued with violent clashes peaking on January 18-25 and on February 18-22. As such, the Ukrainian Revolution could be divided into two main stages: Euromaidan protests of 21 November, 2013 – 17 February, 2014 and the Revolution of Dignity that peaked on 18-22 February, 2014. However, both represented one chain of events, herein referred to as the Maidan revolution.

The Maidan revolution appeared as a new turn in the cycle of Ukraine's competitive oligarchy; yet it significantly differed from the Orange revolution in terms of protesting strategies and context. While the Orange revolution had been held in response to electoral fraud, the Maidan protesters questioned the legitimacy of the regime itself. Whereas the Supreme Court rebooted the second tour of elections in 2004, there was no institutional mechanism to satisfy rather vague and 'blunt' initial demands of the protesters (Popova, 2014: 65-6), such as transforming Ukraine into a 'normal European' state (Onuch & Sasse, 2016: 558).

The position of government also differed from that of the 2004 cabinet. Whereas Kuchma was already leaving the office, Yanukovych captured the state administration, eliminated the opposition and could remain a president for the second term. Therefore, his regime was less cooperative than the one in 2004 and his officials applied coercive methods against the protesters. Although these methods were moderately violent, the very fact of their use along with the politicisation of the juridical system triggered a wave of popular resistance (Dubin, 2016). The Maidan-meetings in November evolved into Maidan-camping in December and Maidan-Sich (analogy to the Zaporijzhian Sich) in January-February, becoming an open revolt against the authorities (KIIS & DIF, 2014).

The Maidan supporters felt deprived of the political rights tightening demands and abandoning the strategy of peaceful protests — two key features that differed Maidan from the Orange revolution. By the time Yanukovych dismissed the Azarov government on 28 January, 2014, the Maidan-Sich had already demanded resignation of Yanukovych and were not ready to abandon occupied administration offices until their demands were met (KIIS & DIF, 2014). The protests grew violent, and it became increasingly difficult to determine the guilty party, because each of them presented the clashes to their benefit. However, the Maidan peaceful protesters (Onuch, 2014) failed to separate themselves from more radical and nationalist groupings (Ishchenko, 2016), because those non-radical self-defence units (*sotni*) that began to form at Maidan were supported and partially organised by nationalist organisations (the Congress of Ukrainian Nationalists, the Right Sector). Moreover, as the clashes strengthened, support for more radical measures also grew among average protesters (Likhachev, 2015).

In the end, radical forces launched a 'peaceful offensive' against the government forces on February 18 (Ukrainska Pravda, 2014) and refused to accept the agreement signed on 21 February 2014 by the leaders of the opposition (Klytschko from UDAR, Yatsenyuk from Fatherland, Tyahnybok from Svoboda) and Yanukovich after 77 people had been killed on previous days. The event poured into the revolution of Dignity with Self-defence and Right Sector occupying state administration and the Supreme Council demanding immediate resignation of Yanukovich (Lenta, 2014). Yanukovich fled Kyiv on 22 February and gained the asylum in Russia on 26 February 2014, and although radical forces were in the minority and did not manage to take over in politics (Likhachev, 2015), they drove the protests and closely cooperated with the members of the opposition (Katchanovski, 2015a) who ultimately took office.

Importantly, neither protesters nor experts viewed representatives of the Maidan opposition as a source of change in Ukraine (Kuzio, 2013). Those were viewed as part of Soviet institutional environment (interview11), or the same old system, which the protesters stood against. However, in the absence of tools to channel their demands, Maidan participants had to unite with the opposition (Chapman, 2014; Kulyk, 2014).

Moreover, violence exhibited during the protests became a turning point for the crisis in post-Maidan Ukraine because the Maidan protests justified both the rebellion against the authoritarian regime and militarisation of this struggle, reflected in clashes with police, occupation of administrative buildings and the use of weapons. This produced a distorted impression that rebelling against the unpopular or illegitimate regime was acceptable by any means, and this approach was adopted by the opponents of the revolution as well.

The distortion was further deepened in the context of Ukraine's regionalism, strengthened by undermined legitimacy of state institutions. The president fled, the parliament was disoriented. Former members of the Party of Regions quickly changed their political affiliations, and the former opposition candidate Turchinov was appointed an interim executive. However, popular support to the opposition leaders was low.

The split in Ukrainian society that had formed during the Orange revolution between supporters and opponents of the revolution who had opposing

political views deepened during the Maidan revolution. The demographic profile of Maidan supporters was almost the same as that of the participants of the Orange revolution (KIIS & DIF, 2014). Although it represented a broader strata of population, only 17% of Ukrainians participated in the protests or supported them with donations (Gatskova & Gatskov, 2016: 686), while 50% did not support the initiative (Interfax, 2013). Half of protesters were from Western Ukraine, one in four from Central Ukraine, and one in five from Southern or Eastern Ukraine (KIIS & DIF, 2014).

Whereas the anti-Maidan rallies had already been launched by Yanukovych authorities during Euromaidan, the image of the radical right dominating in the Maidan revolution strengthened the public support for the anti-Maidan movement in South-East of the country (KIIS, 2014). While the support for Ukrainian nationalism was traditionally weak in Ukraine (according to the Razumkov Centre (2005), in 2005 40% of Ukrainians believed this ideology split Ukrainian society) and especially in Russian-speaking regions (see Section 4.3 of this chapter), the attempt of the parliament to ban the use of Russian language as the official language on a regional level just the next day after the victory of the Maidan revolution provoked a radical response.

The subsequent developments turned into a chain reaction that endowed the whole event with self-reinforcing logic. Donetsk deputies demanded to restore the law on regional languages and expanded demands to the decentralisation and disarmament of illegal military groups (Regnum, 2014). Anti-maidan protests grew into pro-Russian protests, and, similar to the Maidan protests which did not initially aim at violence, spilled into military resistance (KIIS, 2014).

Pro-Russian rallies in Crimea led to the toppling of local authorities and Russia's military takeover. New Crimean authorities declared the independence of the republic and Russia accepted it as part of the Russian Federation on March 18. In other regions of South-eastern Ukraine, anti-Maidan and anti-governmental rallies were organised by local pro-Russian activists and local elites. However, in contrast to the Madan revolution when political leaders combined their forces with radicals (Katchanovski, 2015a), local elites abandoned the pro-Russian movement as soon as Kyiv officials labelled it separatist. This made the movement more chaotic and difficult to freeze (Guzhva & Korotkov, 2015). The

rebels established local militia (self-defence) demanding re-unification with Russia, and when independent People's Republics were declared in Donetsk and Kharkiv, acting president Turchinov announced the launch of an anti-terrorist operation (ATO) (April 7, 2014), which spilled the conflict into a full-scale war.

Therefore, against the inherent logic of Ukraine's unfinished state-, nation-building and modernisation, Ukrainian democratic revolutions represented only 'symptoms of the problems of hybrid and authoritarian regimes, rather than solutions to their ills' (Kalandadze & Orenstein, 2009: 1404). Such revolutions indicated certain stages in an overall evolution of society (Katchanovski, 2008) but did not imply any changes or disruptions in the established cycle of competitive authoritarianism (Hale, 2005). They represented a new type of 'revolutionary coup d'état' when political elites from the same political system coordinated the actions of a limited number of civil activists in order to topple an existing political regime (Lane, 2008). The next section will elaborate upon why such explanation is crucial in the context of Ukraine's failed attempts at reform.

4.2.5. Institutional changes in post-Maidan Ukraine

Although the Maidan revolution had initially appeared as a turning point in breaking Ukraine's vicious cycle of semi-authoritarianism, the initial improvements in governance efficiency, voice and accountability that happened in the aftermath of the revolution were insignificant. Meanwhile, freedom of media and civil society, on the opposite, reduced (Figure 4.7 and Figure below), while Ukraine's key problems such as state capture and corruption remained unresolved (Figure 4.8).

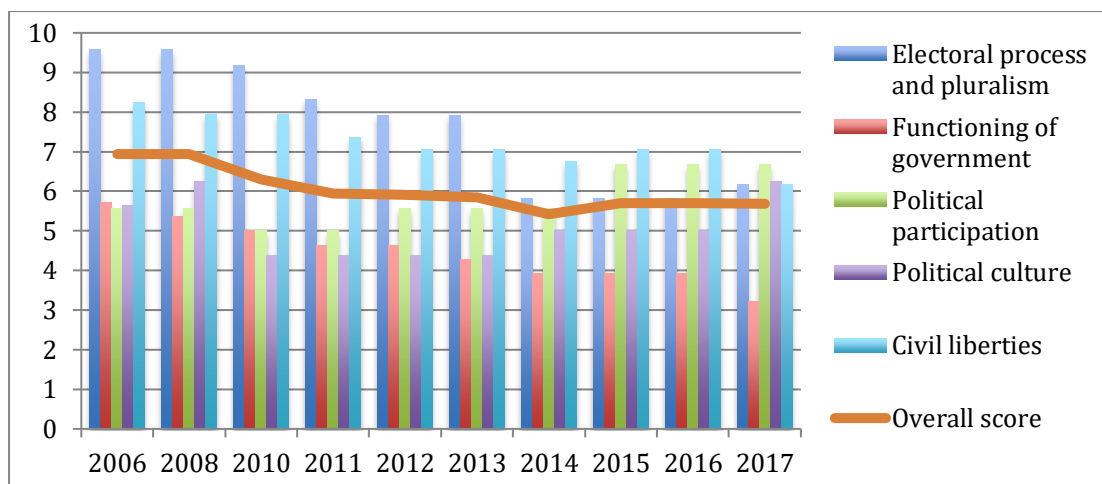


Figure 4.9 Ukraine's democracy index by categories and as an overall, 2006-2017

Source(s): The Economist Intelligence Unit, reports for various years

Note(s): the scales vary from 0 (non-democratic) to 10 (fully democratic).

In this context, the gap between political reforms and popular expectations may be crucial in explaining Ukraine's under-achieving.

4.2.5.1. Political reforms

The main reason behind the lack of the progress in reforming post-Maidan Ukraine lies in the fact that the representatives of the oligarchic system took control over politics again (Kuzio, 2016). Whereas some Maidan and ATO participants joined the offices (Nyshchuk became the Minister of Culture in 2016; Parasyuk, Havryliuk, Nyyem, Leshchenko and Yarosh were elected to the parliament in 2014), many were simply used as popular media brands in the electoral campaign, while some became as corrupt as their more experienced colleagues (a number of debates on this issue launched with the release of e-declarations by Ukrainian officials (Korrespondent, 2017)). Finally, the number of those who could 'turn the tide' remained low and some reform-oriented politicians would simply leave their offices (interviews3,5,11).

In this context, the push for reforms has remained beyond the interest of the majority of Ukrainian policy-makers and 'the institutions of shadow and corruption relations' remain the strongest in Ukraine (interview3). An exemplar case of this is the investigation of the embezzlement of 2 million dollars allocated

for the reform of the General Prosecutor's Office by the Office itself (interview13), which indicates that the reform on prosecution, the court system and public administration has remained adopted mainly on paper whereas impediments from the bureaucratic system remain intact (interview1). Similarly, the improvements in judiciary (appointment of judges on a competitive base and abolition of inviolability of judges when taken red-handed (Supreme Council of Ukraine, 2016) require not only the establishment of new state bodies but also a change of procedures and attitudes.

The majority of Ukrainian policy-makers remain to be associated with the system of oligarchic capitalism that Maidan stood against and, thus, partial reform equilibrium (Hellman, 1998). The lack of reformist elites and persistence of Soviet-like practices make such solutions as replacing all the existing staff on a competitive basis (interview1) or cutting down over-expanded administration (Aslund, 2016: 8-10) unlikely.

Ukrainian 'pro-modernist forces have not yet institutionalised in political parties and have not created institutions-fuses which would make the playback impossible' (interview6). Therefore, stable political parties, unions, social communities, channels and businesses which would remain afloat irrespective of political changes in the country and which would be able to leave their legacies in society should be promoted (Kosmehl & Umland, 2016; interview6). However, this requires favourable political environment which Ukraine currently lacks.

Ukraine's weak political competition derives not only from poor institutionalisation (Figure 4.3 and Figure 4.9) but also from political culture. Since Ukraine lacks traditions of multipartism, its political parties have no clear doctrines or ideologies (interview4). As a result, the culture of an all-taking winner and bandwagoning persists even post-Maidan. Poroshenko who was elected a president on May 25, 2014 consolidated his power by appointing his candidates for the posts of prime-minister (Groisman) and General Prosecutor (Lutsenko). The president also restored control over regional and military elites. Those formations that grew on the basis of Maidan self-defence or nationalist organisations were legalised as special police units in the Ministry of Internal Affairs. While oligarchs Firtash and Akhmetov had already swung to the former opposition after the victory of the Maidan revolution (Aslund, 2016: 3), the

opposition between Poroshenko and Kolomoisky ended with the nationalisation of PryvatBank — a trademark of Kolomoisky's Pryvat Group (Table 4.5) — in December 2016.

Meanwhile, Ukraine benefits neither from the dominance of a strong president nor from the dominance of strong regional patrimonial elites. Accordingly, Ukraine's decentralisation as a solution to this ill should correspond with a more transparent governance at all levels (Kudelia, 2014), while mixed parliamentary-presidential constitution will fit the needs of Ukrainian regionalism and provide citizens with better opportunities for the removal of poor-performing authorities (Hale, 2016).

Moreover, as Ukraine's political record demonstrates, president-driven reforms under both Kuchma and Yanukovich were relatively successful in the first term of their presidency, reversing towards authoritarianism after the next elections. Therefore, relatively frequent change of political leadership in Ukraine may evolve into a more balanced politics and result in a more efficient system of governance in the long term.

In order to make this premise work, proportional party representation should be promoted (Kudelia, 2014; Table 4.4). This may urge political parties to replace regional interests with all-Ukrainian political ideology. Furthermore, the work of political parties should become more transparent by making the distribution of internal finances, the sources of donations as well as the names of donors public (Kudelia, 2014). Limiting the amount that one donor may invest in political organisations should also prevent oligarch-led monopolisation of parties (Antonidis et al., 2017). Finally, in the ideal outcome, the immunity of public officials should be abolished as well.

Yet considering the pace of reforms in Ukraine so far, an in-depth renovation of Ukraine's governance system requires time and, most important, political will. Meanwhile, not only do Ukrainian elites resist the change because of their corrupt and oligarchical background, but also those very few reforms that had been undertaken in Ukraine were pushed by civil society and pressures from outside Ukraine (more details about this will be provided in Chapter 5).

4.2.5.2. *Civil society*

Although the Maidan revolution did not transform Ukrainian politicians (interviews6, 14), it did deliver a 'Ukrainian nation' which is currently searching for political leaders (interview6). In this process, Ukrainian civil society represents a paradoxical case, because, although viewed as the main potential source of change, it nonetheless does not engage Ukraine's broader public.

While the victories of Orange and Maidan revolutions demonstrate the Ukrainians' readiness for radical change, this readiness yields to disillusionment about the lack of progress (Gatskova & Gatskov, 2016). Similarly, whereas Ukrainian civil society succeeded in channelling popular discontent when protests began (most civic activists and youth attended the event) (Gatskova & Gatskov, 2016) civic organisations did not bring 'people into the streets in the first place' (Way, 2014: 36). Although Maidan served as the 'equator' which prevented the country from crossing authoritarian strategic boundaries (interview10), the revolution broke out primarily because Ukrainians exhausted their patience. In contrast, a general inertia and pessimism resumed in Ukrainian society when the revolution did not meet public expectations even if some of the initiatives launched were successful (interview1).

Passivity of social engagement featured by Soviet society has remained intact in modern Ukraine. The majority of people still assume that 'the state is responsible for all' instead of taking responsibility on their own (interviews12, 14) because they lack experience in non-forced and voluntary cooperation (Section 3.6.3). Meanwhile, distrust in state institutions remains strong: trust in the president, government, or the parliament among Ukrainian respondents in 2016 varied between 5.3% and 13% (Zlenko, 2016), and, in the light of perceived indifference of elites towards public needs, Ukrainians care more about their personal wellbeing than principles of democracy (International Republican Institute, 2017). In a similar vein, the number of people who consider that the non-democratic regime is more preferable for Ukraine under certain conditions has increased from 13% in 2014 to 21% in 2015 (IFES, 2015).

A belief in a strong and better leader with no self-interest and 'the greater good in mind' (Hale, 2016: 139) continues to be voiced: the number of Ukrainians who supported the idea that, 'a couple of strong leaders can do more

for the country than all laws and discussions', has increased from 40.5% in 1994 to 63.2% in 2014 (Gatskova & Gatskov, 2016: 686). Even one of the slogans used by Ukrainian nationalists claims, 'Bandera will come and restore the order', referring to an icon who could establish such an order.

Popular support for strong leadership in opposition to liberal disorder may threaten Ukraine's democratisation. It does not mean that a strong and democratic leader cannot per se appear; rather, the chances for this are low (Hale, 2016). Meanwhile, Ukraine's on-going war, radicalisation and militarisation pose additional threats to the country's democratisation. When some activists are getting tired of seeing no progress, civil disobedience has the potential to quickly turn violent (Jarábik, 2016), as was revealed during the blockade of Crimea in 2015 and of the self-proclaimed territories of Donbas in 2016.

Yet, among the positive changes that took place after Maidan are those that civil activists have partially undertaken the functions of the state in equipping and supplying the Ukrainian army and the trust to volunteers is growing (Zlenko, 2016). Civil organisation produce drafts and initiatives of laws (interview1) and some of them (particularly, the Reanimation Package of Reforms, or RPR) are closely cooperating with officials on reform process (interviews1, 6, 7).

However, most Ukrainian NGOs continue to depend on external assistance and financing (by the European Commission, USAID, etc.) lacking respective support from the Ukrainian government and public (Lane, 2008). The latter is primarily a consequence of the fact that ordinary Ukrainians cannot afford to support civil organisations due to personal economic hardship. Meanwhile, Western patronage may result in so-called NGO-cracy, where well-established networks use their access 'to domestic policy-makers and Western donors' but are generally detached from the broader public (Lutsevych, 2013: 1). Lack of knowledge and experience in organising social communities, and the persistence of informal networks as part of the dominant political culture reproduce the problem (Gatskova & Gatskov, 2016).

Ideational change that had already begun to occur in Ukraine continues to be framed by a minority of reformers. As such, Ukraine's quick and comprehensive transformation in the short term appears to be unrealistic and should be replaced with gradual transformations which aim for generational

change (Jarábik, 2016). In this regard, young people are often viewed as the future solution, because they are more strongly engaged in social mobilisation and their active core performed as an organised force during the protests (Bunce & Wolchik, 2007). However, it is important not to overestimate the impact of youth: over 60% of Ukrainian youngsters are 'disinterested' in politics and only 3% have participated in a civil society or a demonstration (Sasse, 2018).

This points to the limited character of Ukraine's democratic revolutions as mass events and also shows that all parts of Ukraine's civil society suffer from the same problems. Whereas they aspire for change, they lack organisational experience and do not have extensive support from the general public, meaning that both civil society and the general public need time to mature.

4.2.5.3. Economic reforms

Considering the discussion in Sections 4.2.5.1 and 4.2.5.2, a more equal distribution of income and economic growth are crucial for Ukraine's sustainable democratisation and development, because equality prevents the rise of oligarchies and provides the middle class with capacities to support civil society (Madland, 2011). The boost of want-mores in the revolutions also proves this point (p. 136 of this Chapter). Meanwhile, Ukraine's current economic situation reflects the opposite.

Whereas a temporising approach of partial reform allowed Ukraine to maintain macroeconomic stability despite the persistence of structural problems and the dominance of oligarchy (Hellman, 1998), the system collapsed when in only three days (23-25 February 2014) Ukrainian currency was devalued due to the regime change (World Bank Open Data, 2016). The subsequent military crisis cost Ukraine 4% of its GDP for Crimea and 10% for Donbas (Aslund, 2016: 5), and Ukraine found itself in a situation similar to the 1990s (interview12). By the end of 2015, inflation had peaked at 43.3%, moderate poverty had expanded to 22.2% (World Bank, 2016). The government had to deal with huge expenditures on pensions (18% of GDP) and energy subsidies (10% of GDP) (Aslund, 2016: 2), which made respective reforms a key target in Ukraine's economic restructuring.

While the pension reform of 2017 has indirectly increased the retirement age (Zanuda, 2017), the medical reform of 2017 resulted largely in the cut-back of

state-paid services available to the general public to the basic ones, revised on the annual basis (Lebed, 2017). Similarly, energy reform led to a rise in prices for corporate and individual consumers in order to achieve cost-recovery balance in Ukraine's energy sector (IMF, 2014). Subsidies were eliminated as the main source of corruption, which reduced the Naftogaz deficit to 2% in 2015 and cut public expenditures by almost 10% (Aslund, 2016). However, individual subsidies for population were not given to households and were accumulated by the Naftogaz (Jarábik, 2016), creating a space for corruption.

The banking reform which was launched in 2014 and is by far considered a successful case in Ukraine has also delivered a number of problems. Whereas 83 out of 180 banks in Ukraine were shut down and state-owned Ukeximbank was restructured, the state incurs the expenses through the Deposit Guarantee Fund. Meanwhile, only 2 top-managers and owners out of 3,214 requests for the prosecution of bankruptcy, were convicted (Fund Deposit Guarantee, 2016: 5). This points to the persistence of informal connections in Ukraine's judiciary and business, including in the sphere of recovering financial losses.

Meanwhile, keeping the current account in balance and controlling budget deficit remain the main priorities in Ukraine's stabilisation programme. Stabilisation has already been achieved with the growth of Ukraine's GDP at 1% for the period 2015-2016 (World Bank, 2016), but economic growth remains weak due to the depth of experienced fall (Figure 4.6). Furthermore, most of the reforms implemented by the government are not only half-hearted because of the lack of interest from Ukrainian officials (in line with Hellman's (1998) argument), but also the proposed plan of economic stabilisation does not provide a clear strategy for future growth.

Balancing accounts has become an end in itself, because meeting this IMF requirement may guarantee the obtainment of the next credit, which is important for repaying the debts and honouring the terms of payments which are already agreed. Ukraine's external debt in 2015 already constituted 131.5% of its GDP, yet the country should reduce the size of the debt to 107.5% by 2019 (World Bank, 2017). This situation portrays Ukraine's prospects as a vicious cycle of balancing accounts, borrowing finances, paying for credits and balancing accounts for the next borrowing, because political and military crisis does not

attract alternative sources of growth — investment — essentially this is the key problem perpetuating Ukraine's delayed economic recovery (Figure 5.1).

Foreign investment is discussed in more detail in Chapter 5. However, the on-going war makes influx of foreign capital less likely. In addition, Ukraine has lost a number of domestic investors. Small and medium business remains underdeveloped due to the lack of finances in the internal market and political instability. Also, the loss of population due to the war (during 2013-2017 *mainland* Ukraine, excluding Crimea and ATO territories of Donbas, lost approximately 3 mln people (Ministry of Finances of Ukraine, 2017) not least because of the aging population) and the mass emigration of talented Ukrainian students and youth (addressed in more detail in Chapter 5) remain a concern.

Meanwhile, Ukraine's military expenditure grew from 2.3% to 3.9% of its GDP between 2013 and 2015 (World Bank Open Data, 2016), while corruption in the army reached its peak with 30% of human losses being suffered not in combat but due to poor management (Jarábik, 2016). Ukrainian oligarchs continue to benefit from Ukraine's current situation of neither peace-nor war by profiting on ' "sewing" tenders for military purposes, smuggling, and tax evasion in trade on uncontrolled territories' (interview11). As a result, the war has a strong impact on daily life only for those people who are directly involved in the conflict or live in the war-torn territories, whereas the rest of Ukraine faces the ill effects of state capture. Property rights remain under the control of Ukrainian politicians (Hartwell, 2017) and due to the temporary economic stabilisation, Ukrainian officials are likely to refuse painful reforms and condition-driven IFOs debts in favour of private borrowing from the external bond market (Aslund, 2016: 13) — stepping into another round of partial reform equilibrium. As a result, the momentum for reforms in the aftermath of the Maidan revolution has been lost: painful reforms do take place (pension, medical, energy) but are half-hearted in their outcomes (governance, freedom of media and civil society).

4.3. Ukraine's identity and nation-building

This section provides an in-depth analysis of the problems faced by Ukraine in its nation-building. The nature of the country's regionalism and the clashing character of its diverse identities are addressed. However, this section also goes

beyond examining the polarisation of different viewpoints on Ukraine's nation-building, by focusing on the factors that may advance the country's democratic consolidation. The latter should rely on liberal political culture.

4.3.1. Portraying Ukraine's regional and identity diversity

The on-going war in Eastern Ukraine has reflected on Ukraine's regionalism and profound influence of historical legacies in some of the rifts in Ukraine's modern society. As discussed in Chapter 3, Ukraine's historical attempts to achieve independence failed, and the country remained largely a part of those states that did not share European patterns of development (interview9). As a result, Ukraine was viewed as a 'state with no nation' (Korostelina, 2013b), or a 'new' state (Bunce, 2005), whose crucial problems lied in differing collective memories and historical past (Prizel, 2002: 377).

Whereas Ukraine is perceived as an Orthodox country, its Orthodox Church is divided into three branches. According to the 2012 survey (U.S. Department of State, 2012), 26% of Ukrainian believers associated themselves with the Ukrainian Orthodox Church of the Moscow Patriarchate, or the UOC-MP (traced either to shared Rus' legacies), 2% with the parish of the Ukrainian Autocephalous Orthodox Church (established in the 1920s under the aegis of the Ukrainian People's Republic) and 31% with the Ukrainian Orthodox Church of the Kyiv Patriarchate, or the UOC-KP (which split from the Moscow Patriarchate in 1992). Also, a significant number of people in Ukraine profess Greek Catholicism (14.1%) (Razumkov Centre, 2016b) which may be traced back to the establishment of the Uniate (Greek-Catholic) Church under the aegis of the Polish-Lithuanian Commonwealth.

Ukraine's religious diversity is a product of the complex history of nation-building, during which foreign powers used the Church in order to promote their interpretation of Ukrainian identity (Chapter 3), and some of those narratives persist today. Whereas the Orthodox community views Greek Catholics as the apostates of faith who fell under the Polish dominance, Greek Catholics perceive the Orthodox church 'as a tool of Russification and Russian hegemony' (Prizel, 2002: 377). The latter has strengthened in light of the ongoing Russia-Ukraine conflict, and in October 2018 the UOC-KP declared itself an independent

Ukrainian Orthodox Church. Although active support of Ukrainian officials in this move points to the alliance between the church and the state in building an independent Ukraine, it has also split the Ukrainian religious community, because the official narrative outcasts the UOC-MP as anti-Ukrainian ('[there is] nothing to do here for your [Russian] Church', Poroshenko (2018) cited in Mazurenko (2018)) drawing a line of division within the Ukrainian Orthodox community.

The same split can be seen in the interpretations and reinventions of Ukraine's history and particularly in the perception of Soviet rule in Ukraine. While the victory in World War II signified the victory over a Nazi Germany for some Ukrainians, this victory marked the beginning of Soviet occupation and tyranny for another group of people (Sections 3.4 and 3.5). While the city of Donetsk (Eastern Ukraine) celebrates Red Army Day on 23 February, city Lviv (Western Ukraine) commemorates the OUN-UPA which fought against the Red Army on 14 October (Prizel, 2002: 378-9). After the Maidan revolution and in response to the war in Donbas, Ukrainian authorities officially declared 14 October a day of Ukrainian army and a national holiday (Supreme Council of Ukraine, 2014b), and although the date was claimed to be the date of the Cossack army, this choice was heavily driven by the desire to deconstruct Soviet-Russian legacy in Ukraine.

Due to the fact that Ukraine's state institutions have been historically aligned with Russian and, later on, Russia-dominated Soviet institutions, Ukraine's nation- and state-building are inevitably linked to the so-called Russian issue (Hesli, Reisinger, & Miller, 1998), defined through 'the status of the Russian language and relations with Russia' (Kulyk, 2011: 633). Dealing with the Russian issue is viewed a key task of Ukraine's post-colonial nationalism (Kuzio, 2002a; G. Smith, Law, Wilson, Bohr, & Allworth, 1998) whereas the degree of de-Russification is indicated by the change in language attitudes. Altogether this explains why language preferences are considered more crucial in shaping identities in Ukraine than ethnicity (Kulyk, 2011).

Although Ukraine appears homogeneous in terms of language and ethnicity (according to the (SSCU, 2001), 77.8% of its population are Ukrainians and 85.2% consider the Ukrainian language to be their native language, most of

Ukrainians are bilingually competent. Whereas Ukrainian dominates in the public sphere, Russian remains a *lingua franca* in business and informal communication. Together with the fact that most Ukrainians who considered themselves to be both Russian and Ukrainian (according to G. Smith et al. (1998) 25-26% in 1993-1994) spoke Russian (Wilson, 2002), the informal dominance of the Russian language is often viewed as undermining the coherence of Ukraine's society.

The situation has changed in light of the ongoing Russian-Ukrainian conflict, since Ukrainian officials set up limitations for broadcasting in Russian, while civil activists (journalists, Maidan participants, volunteers) popularise it in the media (Kulyk, 2016). The share of Ukrainians identifying as both Russian and Ukrainian has dropped from 23.1% in 2012 to 12.4% in 2017, and 'Ukraine has become more Ukrainian'. However, this progress was achieved largely at the cost of Donbas becoming 'more Russian' (Arel, 2018: 189).

Since Russia exerts its impact through shared Soviet legacies, the Russian issue is often linked to the Soviet past (interview5), while post-Soviet nation-building is linked to the process of de-Russification. First, the country rejects Soviet symbols, institutions and representatives in order to protect its 'national interests against the colonial "other"' (G. Smith et al., 1998: 13-4). During this stage, new political leaders *essentialise* national identity, contrasting the imaginable 'us' (in-group) to the 'other' (non-bounded out-groups) (Kuzio, 2001a: 343). They *historise* the national past which, in a new interpretation, serves as a standard against which the community can measure its achievements and failures. Finally, political leaders *totalise* relative differences in society, compelling people to associate themselves with a single group based on either assimilation or incorporation (Alexander, 2001). This phase corresponds with the standardisation of lingual, cultural and educational aspects in order to create 'a more ... loyal citizenry' (G. Smith et al., 1998: 14-7).

Ukraine had two possible strategies to deal with the Russian issue. The first portrayed Russia as the colonising *other* whose legacies had to be abandoned fully, whereby distancing itself from Russia was even more important than distancing itself from Europe, because Ukraine's close ties with Russia complicated the construction of a separate identity (Kuzio, 2001a). This course

was launched at once, as Ukrainisation was promoted as a mechanism for de-Russification in independent Ukraine (Prizel, 1998: 376-8). The Yushchenko and Poroshenko governments applied similar policies, albeit to a greater degree. Both recasted the OUN-UPA as the Ukrainian national liberation movement and role model for modern Ukraine, notwithstanding the controversy surrounding this organisation among Ukrainians (Katchanovski, 2015b).

From the opposite viewpoint, Ukraine could act as ‘a bridge-builder between East and West’, belonging to a wider Europe with Russia and at the same time preserving historical links with the Slavic community (Schularick, 2005: 235). Kuchma’s policies fell in line with this declaration, because he historicised Ukraine’s identity without essentialising or totalising it. As other moderate politicians (including the ousted Yanukovich), he exploited the expectations of the Russophone population by emphasising a need for closer ties with Russia (Kulyk, 2017) but avoided, excessive Russianism in order to not hamper Ukraine’s ‘Europeanness’ (K. Wolczuk, 2000: 682-9).

Although Kuchma’s approach did not aim to portray Russia as *other* in ethnic territorial sense (Kuzio, 2001a: 356), it aimed for the construction of sovereign Ukraine. Having supported the idea of equalising Russian and Ukrainian languages as official languages during his electoral campaign, Kuchma in fact maintained Ukrainian as the only state language. The number of Ukrainian schools increased (figure below) and promoted the Ukrainian identity (Arel, 2018).

Meanwhile, Russian-speaking Ukrainians maintained a strong representation in state institutions (Kulyk, 2017), which maintained their loyalty to the state. Ukraine’s self-identification slowly moved towards portraying Russia as the *other*, in part because of Russia’s own actions (gas wars, border problems with regard to island Tuzla in Kerch Strait and post-Maidan conflict) (Arel, 2018; Armandon, 2013; Barrington, 2018; KIIS, 2015) (the change in the attitudes to Russia will be also discussed in Section 5.3), and as such Kuchma’s quiet Ukrainisation advanced Ukraine’s peaceful nation-building more than the radical slogans of revolutionary governments. A moderate approach lessened Ukraine’s regional differences while strengthening a civic, or *derzhavnyk* (Kuzio, 2002b) notion of Ukraine’s identity whereby Ukrainian elites enjoyed independence from

Russian decision-making and agreed on the need to build a political Ukrainian nation based on ‘inclusivity and a liberal democracy’ (Kuzio, 2002b: 136).

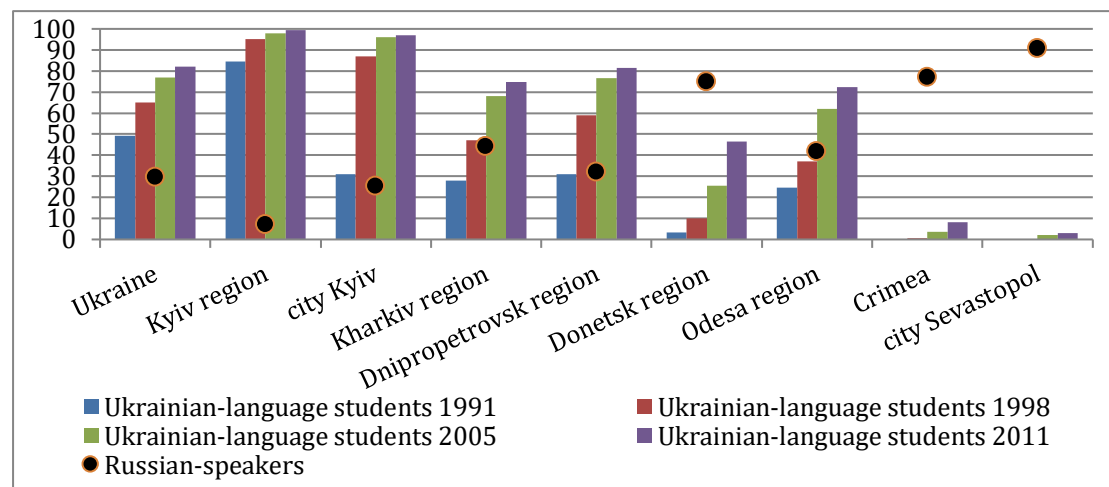


Figure 4.10 Ukrainisation of schools in the selected regions of Ukraine as comparison between the share of Russian-speaking population and the share of students studying in Ukrainian-language schools, %, 1991-2011.

Source(s): Statistics, politics, society (2017); SSCU (2001)

Derzhavnyk policies were criticised only for the lack of a strong emphasis on Russia’s otherness as part of promoting Ukraine’s independence. As Prizel (2002) claims, support of independence in Russian-speaking regions is weaker than in Ukrainian-speaking regions irrespective of ethnicity (381), and the notion of Ukraine as ‘a deeply divided society with a pronounced pattern of regional diversity’ (Wilson, 1997: 1) remains overtly persistent.

Ukraine’s fragmentation is often reflected through polarisation of either two (West and East) or four regional blocs (East-West-Centre-South), and the same polarisation narrative persists for identity types in Ukraine. Thus, Riabchuk (2012) distinguishes ‘the strong ethnic Ukrainian’ and the ‘strong Eastern Slavic’ identities, wherein the ‘Ukrainian national’ follows the trend of ‘return to Europe’ associated with European values and institutions, while the ‘Little Russian’, ‘post/crypto-Soviet’, or ‘East Slavonic’ identity is ‘anti-Western, authoritarian’, and ‘conservative’ (Riabchuk, 2012: 443-4). One of the explicit narratives of this division is presented in the portrait of supporters and opponents of Ukraine’s independence:

‘A sincere supporter of Ukraine’s independence is a young Ukrainian-speaker who lives in Western Ukraine, confesses to the Ukrainian Greek-Catholic Church and is a supporter of the party Freedom. An opponent of Ukraine’s independence is a poor elderly Russian-speaker who lives in Donbas, who is an atheist or confesses to the Orthodox Church of Moscow Patriarchy and is a supporter of the Communist Party of Ukraine’, (Polishchuk, 2013).

Indeed, portraying Ukraine as a divided society is easy, because a number of public opinion polls support this argument, not least with regard to regional division (Figure 4.11; Table 4.6). Regions form their own, regional identities based on ethno-lingual homogeneity or historical experience and regional cultures (Barrington, 2002). In Ukraine, some of such identities are narrowly local (Carpathian Rusyns, lemky), some pertain to specific regions (*donchanin*, new Russian, Crimean people, Kievans, Podolians, Volhynians, Galician and Dnieper identities) (Wilson, 2002; 42-3). Finally, some local, regional, or territorial identity narratives are promoted as national identity narratives. Thus, Galician identity recalls with a narrative of ‘fight for Ukraine’s independence’, Dnieper identity resembles ‘recognition of Ukraine’s independence’, Eurasianism corresponds with a dual identity narrative, while Soviet identity with a Soviet identity narrative (Korostelina, 2013a; Wilson, 2002).

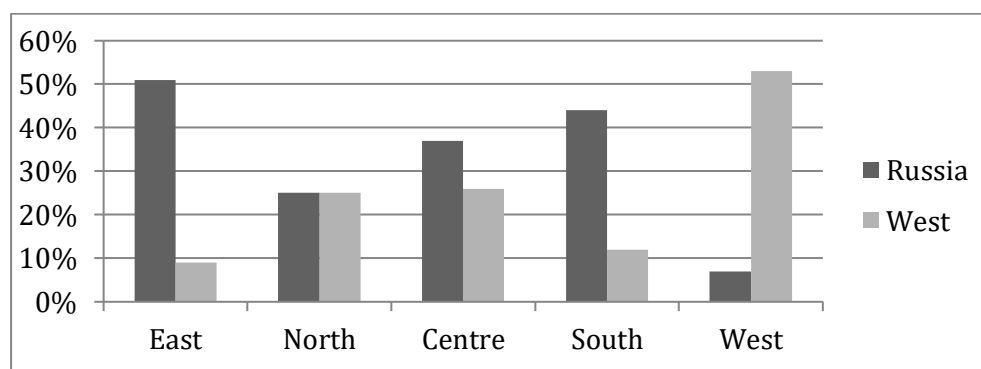


Figure 4.11 Results of the public opinion poll: ‘Do you believe that Ukrainian culture or lifestyle are closer to Western or Russian values?’ (8-15 April, 2014), %

Source(s): KIIS (2015: 33)

Table 4.6 Positive support for the selected political currents among the regions of Ukraine (%), 19-25 June 2008

	West	Centre	South	East
Ecology/green	31.4	27.2	47	36.2
Communist	-57.4	-28.2	10.2	-1.5
Liberal	-9	-20.2	-15.8	-20.4
National radical	-7.8	-23.6	-45.9	-32.7
National democratic	41.4	1.8	-33.9	-11.8
Social democratic	-11.9	-7.4	27.9	-3.1
Socialist	-28.7	-14.1	25.7	-0.7
Christian democratic	28.5	-10.5	-5.2	-7.6

Source(s): Razumkov Centre (2008)

Note(s): The degree of support is calculated as a difference between the shares of positive and negative attitudes about the selected political currents.

West includes such regions as Volhyn', Zakarpattya, Ivano-Frankivs'k, Lviv, Rivno, Ternopil and Chernivets'k regions; Centre: City Kyiv, Vinnytsia, Zhytomyr, Kyiv, Kyrovograd, Poltava, Sumy, Khemnyts'k, Cherkasy and Chernighiv regions; South: Crimea, Odesa, Kherson and Mykolaiyv regions; East: Dnipropetrovs'k, Donetsk, Zporizhja, Lugansk, Kharkiv regions.

Identity mapping heavily corresponds with Ukraine's historical regions, filled in with specific political culture formed on the basis of their historical experiences (Kulyk, 2011: 633).

Table 4.7 Types of cultural tradition by regions of Ukraine, %, 31 May-18 June, 2007

	West	Centre	South	East
Ukrainian	79.9	69.1	40.9	42
Soviet	5.8	17	26.5	22.7
Russian	0.9	3.7	18	18.1
European	8.8	6	8.1	4.7
Other	1.2	0.6	1	1.1
Difficult to identify	3.4	3.6	5.5	7.8

Source(s): Razumkov Centre (2007)

Nevertheless, in the hierarchy of such factors of electoral vote as place of residence, language preferences, and national self-identification (Hesli et al.,

1998), ethno-lingual differences are not determinant once the regional factor is controlled for (Barrington, 2002). Similarly, whereas the Russian issue remains crucial for voting preferences (Hesli et al., 1998), it may be explained not only from the identity perspective but through the prism of 'historical, economic, geographic (e.g., proximity to Russia) and demographic characteristics' of Ukraine's regions (Barrington, 2002: 461). As such region represents a far broader category of analysis than identity or language.

However, the common economic interests and close economic ties with bordering regions may serve as a counter balance to various Ukrainian identities. While geographic closeness between Russians and Ukrainians in the bordering regions resulted in their 'aliqueness' in terms of views and values (Grogan, 2016), Russian-speaking Ukrainians have nonetheless transformed into Ukrainians while maintaining their language preferences (Kulyk, 2017).

Regardless of the above-discussed fluidity and complexity of Ukraine's regionalism, it should be noted that the regions are not acting on their own. Instead, agency is crucial in evoking collective memories and historical analogies and in supporting certain identity narratives. As multiple Crimean crises, the Severodonetsk meeting of 2004 and the on-going Donbas War demonstrate, the role of agency grows at a time of a crisis. For example, a standoff between the Crimean and Ukrainian governments cannot be explained only by initially weak support to Ukraine's independence at the peninsula (54.19%) and, thus, historical legacies (Crimea was transferred from the RSFSR to the Ukrainian SSR in 1954). Attempts to adopt its own Constitution elect its own president and even secede from Ukraine continued in Crimea throughout 1992-1994. Yet the key factor that led to the destabilisation of the situation was the election of the pro-Russian president and the key factor that prevented or, as in 2014, promoted destabilisation — Russian (non)-interference (some references to this will be made in Chapter 5).

Therefore, popular moods could support political decisions of regional elites, but inherent regionalism did not threaten Ukraine's independence in the absence of political stimulus. This once again points to the importance of agency even in such grand-scale processes as nation-building whereas historical analogies create a basis for reproduction of action (history) during critical juncture.

4.3.2. Moulding Ukraine's identity

As the above and particularly the previous discussion in Chapter 3 demonstrate, Ukraine's modernisation may allow to overcome Ukraine's regional and identity divisions and proceed with democratic nation-building that relies on civil society, human development, as well as political, economic and social equality. Yet suggesting that ethnic Ukrainian identity may further advance Ukraine's transition, because representatives of this identity are more supportive of liberal reforms in contrast to more pro-authoritarian representatives of the Eastern Slavic identity (Shulman, 2005) may be misleading.

First, the selected identities represent strong opposing groups (Shulman, 2005), and they do not reflect the middle ground or approximately 60% of Ukrainian population (Wilson, 2002: 40) who do not necessarily view themselves as Russians or both Russians and Ukrainians.

Second, most of Ukraine's identity narratives remain dominantly ethno-lingual (Brubaker, 2011) with only 16% of Ukrainian elites adhering to a multi-cultural or civic identity narrative.¹⁶ This means that supporting either of the existing ethno-lingual identities would not advance Ukraine's peaceful nation-building (Brubaker, 2011), and this has already been demonstrated in the on-going Donbas war.

Finally, there are more similarities among the representatives of the contrasted identities than it may initially appear, because Ukraine's self-perception of a 'poor, constantly oppressed, constantly suffering' country (interview1) results in that both identity groups seek external approval: 'What will America say? Or what will Russia say?' (interview12). Meanwhile, Ukrainians tend to follow those sources of information (and assumedly role models), which support already formed expectations and beliefs (Szostek, 2017). Those who support the Russian position in the on-going conflict refer to those sources of information that reinforce their views and vice versa. Therefore, Ukrainians who are trapped in the on-going crisis are not exposed to propaganda war to the extent it is believed, because identities do not change in a short duration.

¹⁶ this estimation should not be generalised, as it is derived from the interviews with 43 respondents and therefore does not represent all Ukraine (Korostelina, 2013a: 295).

Importantly, such a conclusion would imply that the support for reforms has had significantly less importance in comparison with the support for a particular type of identity or vector of foreign policy. For example, support for EU-led reforms may be explained by the fact that the implementation of these reforms would automatically reunite Ukraine with its European family. While this narrative has become particularly visible in post-Maidan Ukraine, the lack of critique towards EU policies in light of the EU's multiple crises demonstrates that Ukraine's European choice has turned into a 'self-fulfilling prophecy' which disregards domestic developments inside the EU (Hobova, 2016).

Such an approach does not oppose Ukraine's regionalism with its counterbalancing economic considerations in the context of Ukraine's asymmetrical integration (Shulman, 1999). While 'identities frame an issue, whether respondents consciously prioritise them or not' (Arel, 2018: 188), some believe that 'economic calculations drive political attitudes in Ukraine more than identity' (Barrington, 2018: 181).

While identity differences are not important under normal circumstances, they become crucial during turning points (such as the on-going war) when individual preferences becomes determinant (Szostek, 2017). Thus, the pro-Russian unrest in Eastern Ukraine was caused by 'a sense of abandonment by Kyiv rather than by Russian language and pro-Russian foreign policy issues' (Giuliano, 2018: 158) and was an emotion-driven impulse rather than a rational decision. The same refers to the evolution of the Maidan protests from peaceful to violent (Section 4.2.4).

Whereas Eastern Ukrainians are traditionally viewed as more pro-Russian, pro-authoritarian and pro-'statist', Western Ukrainians also support 'statist policies internally and protection externally, and there is no evidence that corruption is lower in Western Ukraine than in the East' (D'Anieri, 2012: 452).

'We often have paternalistic thinking that Europe will help us, foreign countries will help us ... We often say that the East is paternalistic. Don't be illusive. The West of Ukraine is paternalistic too; only it relies on foreign countries and the authorities in Kyiv', (interview11).

Hence, associating Russophone views with the persistence of Soviet political culture in Ukraine would be short-sighted. Moreover, political culture and identity are not mutually substitutive. The former is associated with a set of values and beliefs that represent individual and collective experiences (sometimes reflected in civil identity), while the latter reflects a perception of self in contrast to others (Wiarda, 2016) (and may be ethnic or civic). In this context, identity is often ‘imagined’ (Anderson, 2006: 6), constructed, or narrated (G. Smith et al., 1998: 119).

The problems arise when these imagined features of identity shape the boundaries of real politics (G. Smith et al., 1998: 1), and Ukraine represents the case. After the collapse of the Soviet Union, the former nomenklatura embarked on reinventing history in order to justify Ukraine’s sovereignty and preserve power, reproducing the only nation-building experience they knew — the ethno-linguistic approach (Chapter 3 Section 3.6.4). Moreover, whereas Ukrainian political actors of all ideological colours prioritised the country’s sovereignty and independence, being civic, or ‘pragmatic nationalists’ (Kuzio, 2002b: 78, 83-4), during the elections all used regional stereotypes creating ‘two Ukraines’ (Osipian & Osipian, 2012). On the one hand, Ukrainian political forces labelled the nationalism of their opponents as *bad*, while, on the other hand, they supported bad nationalism to win the votes and to prevent the creation of a united Ukrainian identity which would have undermined their authority (Way, 2005a). As such dismantling historical memories displaced the modelling of Ukraine’s development (interview6), while manipulation, politicisation and radicalisation displaced nation-building.

Yet what actions can be taken in this respect? First, as the previous section has demonstrated, Ukraine’s nation-building policies throughout the 1990s created a more coherent Ukraine. Therefore, Ukraine’s peaceful and democratic nation-building is possible if Ukrainian elites stop manipulating identity narratives in political discourse. Civic identity should be prioritised over territorial, ethnic and particularly opposing narratives (Brubaker, 2011; Korostelina, 2013a) in order to minimise social cleavages and to maintain the course for peaceful and liberal nation-building (Brubaker, 1996). Although only a minority of Ukrainians share a truly civic multi-cultural identity narrative, the

assumption that ethnic Ukrainian nationalism evolves into liberal political movement (Kuzio, 2002b) allows to assume that other ethnic identities in Ukraine can presumably do the same.

Significantly, the majority of Ukrainian people do not belong to any of the contrasted strong identities and are rather malleable in their self-identification. Public opinion polls often indicate that the majority of Ukrainians have no clear ideological views (51.8%) or even have no religious affiliations (62.5%) (Razumkov Centre, 2009). Approximately the same-size threshold of 60% was named by Wilson (2002) who considered Riabchuk's concept of Ukraine's society as a '30-60-10' society, where 30% of the population was consciously Ukrainian, 10% consciously anti-Ukrainian and the rest formed a 'premodern majority' that formally supported Ukraine's independence but remained culturally and linguistically Russian (Wilson, 2002). This majority is often labelled pro-Russian and anti-reformist, although, on the opposite, it could promote Ukraine's civic nationalism if it embraced liberal political culture.

In this context, the main task for Ukraine's policy-makers and intellectuals lies in the search for a reason that will unite all the people of Ukraine instead of supporting competing camps. In this regard, establishing civil society (based on civil identity) is crucial for constructing supporting elements of civic identity such as 'liberty, prosperity and welfare, a common social contract of reciprocal rights and obligations, or constitutional patriotism' (Wilson, 2002: 31).

Civil identity is also vital for multi-cultural societies because it grants incorporation of all members of community while maintaining some primordial qualities (religion, language, culture) (Alexander, 2001). In Ukraine's context, this would preserve some elements of ethno-lingual identity at the level of national symbolism and historicisation, while lessening the degree of polarisation among supporters of various identity narratives (Arel, 2018).

Liberal political culture should also make people less dependant on the ethnic component of their identities. As such Ukraine's successful democratisation is possible only when Ukrainians change their attitudes towards respect to property, legal system and rule of law as part of liberal culture (interview13). The desire of the Maidan participants to live like in Europe and to

build a normal European state (Section 4.2.4) reflects on the opportunity for doing so.

In search of a basis for Ukraine's national consolidation, it is important to stress that 84% of Ukrainian citizens adopt 'weakly or strongly inclusivist stances' of community (Zimmerman, 1998: 49). Moreover, Ukrainian people support Ukrainianness when it is associated with personal benefits and support a certain vector of foreign policy if this allows Ukraine's domestic players to achieve and establish beneficial to Ukraine cooperation (Armandon, 2013). Therefore, the popularisation of the Ukrainian language and Ukrainianness lies in Ukraine's real achievements and the advantages that Ukrainian citizenship brings to its people.

On the other hand Russian-speaking Ukrainians do not necessarily represent a source of Russian intervention as some fear. Often, these Ukrainians represent a middle ground between the conflicting strong ethnic identities. For example, 60% to 80% of respondents in Southern and Eastern Ukraine supported close relations with Russia but of independent Ukraine (KIIS, 2014), and 'the real sympathy that Ukrainian citizens express toward this country [Russia] does not mean that they are ready to accept any kind of Russian behaviour or policy toward Ukraine' (Armandon, 2013: 295). At the same time, neither the ethnic Russian nor ethnic Ukrainian narrative can accommodate this group of people (G. Smith et al., 1998: 119-20), despite the fact that, being an integral part of Ukrainian community, they wish to negotiate the content of Ukraine's national identity (Rodgers, 2006: 171).

The main obstacle in this process is the on-going war in Eastern Ukraine which has polarised existing divisions in Ukraine and turned all supporters of the Russian course into domestic agents of imperial Russia. Such an approach towards shaping the Ukrainian identity overlaps with inherited 'communist totalitarian culture', as 'there is no culture of dialogue in a broad sense in Ukraine' (interview13). Due to the on-going conflict, this feature of society has only strengthened, whereas the totalising Ukrainian narrative as the one opposed to Russian and any pro-Russian narrative follows the same communist illiberal pattern although it is declaratively aiming for the opposite.

Whereas support for Ukraine's independence has grown in general, the split between the mainland Ukraine and the war zone has deepened (Arel, 2018).

More than half the respondents from the West and Centre of Ukraine supported the termination of any relations between Ukraine and these territories (Razumkov Centre, 2016a), and the silent support for such actions by state officials demonstrates their support for one dominant narrative.

Another danger of totalisation in Ukraine is that Russophone population has no 'clear-cut sense of identity' (Kuzio, 2002a: 22) and risks joining one of the radicalised identity camps in Ukraine (G. Smith et al., 1998: 135). In the context of Ukraine's dominant Soviet-like political culture, this also explains the quick polarisation of society along ethno-cultural or ethno-lingual lines and a quick turn of the tide in favour of another ethnic narrative instead of maintaining the fluid boundaries between identities. The process has been reflected in the unexpectedly rapid growth of support towards the OUN-UPA whose popularisation had been originally doubted (Katchanovski, 2015b). The share of citizens who supported the idea of the OUN as a national liberator grew from 20% in 2010 to 27% in 2013 and 41% in 2015, although data for 2015 excluded Crimea (Rating, 2013; 2015). Many Russian-speakers from join military formations with strongly anti-Russian and even Nazi rhetoric, while a number of Russian-speaking Ukrainians profess guilt for being Russian- and not Ukrainian-speakers.

Therefore, although the Maidan revolution has launched a process of revitalising or reinventing a Ukrainian identity, the 'Russian issue' remains central to this process and Ukraine's further unification becomes impossible without resolving this issue (Kuczhynska-Zonik & Kowalczyk, 2016). Indeed, Ukraine's historical experiences inevitably bound it with Russia, while Ukraine's modern development supports the course for Europeanisation, and joining either Europe or Russia would imply the rejection of the external other and the domestic group bonded to it.

Due to the fact that totalising ethnic identity does not appear as a peaceful solution, Ukraine's nation-building should aim for the promotion of civic identity by civil means. As this section has already demonstrated, Ukrainians support reforms and a common aspiration to live in a better country. Therefore, promotion of liberal political culture should prevent the fragmentation of Ukrainian community and support the unification of its people on the basis of civil identity which is associated with civic identity in Ukraine.

Due to the fact that liberal values are viewed as those that are promoted by the European Union, Ukraine's Europeanisation (a concept that will be discussed in greater detail in the next chapter) may partially advance Ukraine's nation-building by replacing ethno-centred Soviet-style nation-building with a civic European type of state- and nation-building. However, the latter remains a difficult task as will be discussed in Chapter 6.

Moreover, the one-sided promotion of European integration over the Eastern integration was not economically, politically or culturally efficient for Ukraine (Shulman, 1999, p. 934) and remains non-beneficial for Ukraine's nation-building because it does not take into account Ukraine's close ties with Russia. As such, the EU's potential impact on Ukraine's nation-building is limited to the promotion of democratic values in general, while Ukraine remains a sole actor with regard to the construction of its shared identity.

Ukraine's current and post-conflict nation-building should be grounded in the growing integration between its regions and unification on the basis of shared priorities. Inter-regional cooperation among Ukraine's most distant regions may include strengthened economic ties, tourism and cultural and education exchange. Simultaneously, such issues as common Eastern Slavic heritage, Ukrainian culture, economic prosperity, equal political rights, co-existence in one state and resolution of the common problems (in political and economic transformations) were named as a basis for potential cooperation and the construction of a united Ukrainian community by respondents from both Lviv and Donetsk (Shulman, 1999). In this context, Ukraine's unification is still possible, although it becomes more complex, as the war goes on.

4.4. Conclusions to Chapter 4

While the above discussion reveals the importance of historical legacies and particularly communist legacies for certain aspects of Ukraine's post-communist transition, including the character of elites, public preferences and political culture, it proves that the window of opportunity for Ukraine's transformation into a more transparent and democratic community exists and that it may be realised primarily through agency.

Whereas the role of agency in the beginning (momentum) of Ukraine's transition has not advanced to swift democratic transformation due to the persistence of the nomenklatura, Ukrainian people have remained the main agent and are currently searching for a new leadership to establish the fair rules of the game and a fair system of governance. Important in this context is the fact that the lack of strong state institutions which has prevented Ukraine from becoming a full-pledged democracy has also prevented it from becoming an assertive autocracy. Therefore, Ukraine's competitive oligarchy has unintentionally provided Ukrainians with several windows of opportunities for political change. In this process, Ukraine's regional and identity divisions appear to be less divisive than commonly suggested, because economic and political cooperation may be efficiently utilised for balancing identity and regional differences in Ukraine if respectful political will can be found.

CHAPTER 5. THE ROLE OF THE EU AND OTHER EXTERNAL FACTORS IN UKRAINE'S POST-COMMUNIST TRANSITION

This chapter offers an analysis of EU-Ukraine relations in the context of Ukraine's post-communist Europeanisation and other external factors (such as Russia's influence) that have affected Ukraine's progress of transition. This chapter specifically addresses questions raised in Chapter 2 of this thesis, examining the mechanisms of Europeanisation and the EU's ability to promote its values (particularly, democracy and market economy) in Ukraine in the absence of the prospect of EU membership. Moreover, Ukraine's specific problems such as the impact of geopolitics and the quest of self-determination are also considered.

5.1. The role of the EU (and geo-politics) in Ukraine's post-communist transition

As was described in Chapter 2, the central question in analysing EU democracy promotion efforts lies in distinguishing the impacts between its normative and *calculus* approaches. While the EU is visibly normative, which is supported by its founding documents, 'in certain policy areas and geographical contexts', the EU 'behaves in a state-like manner' (N. R. Smith, 2014b: 584). EU interests in Ukraine revolve primarily around security, trade and regime (democracy) promotion (N. R. Smith, 2014a), yet prioritisation of any of these depends on the EU's constantly changing context. Nevertheless, security is often prioritised over market liberalisation and democracy promotion, as will be demonstrated in this section.

5.1.1. The role of geopolitics in Ukraine-EU relations

While some would portray EU policies in 1990s Ukraine as lacking geopolitical motivations (R. Wolczuk, 2003: 176), this period of bilateral cooperation between the two parties was characterised by the EU's overall disinterest in Ukraine. At the time, the EU was still deciding on its identity and the scope of enlargement

(the Maastricht Treaty was signed in 1992) and accepted only those states that expressed their desire to join the EU, while Ukraine demonstrated no such interest and was not institutionally ready for membership of the EU (R. Wolczuk, 2003: 160).

Meanwhile, the West in general (namely the EU and the USA) ‘pursued a “Russia-first” policy towards the CIS’ (Kuzio, 2001a: 351), wherein a strong Russia was viewed as a guarantor of regional stability in the post-Soviet space and international players unofficially agreed that Ukraine was the remainder of the post-Soviet space and was not joining other integration projects (interview3). In addition, Ukraine was not viewed as a truly European state (Kuzio, 2001a). Ukraine was perceived as an extension of Russia and the other in cultural terms (Basystyuk, 2012), and such views prevailed even in the aftermath of the Orange revolution (Youngs, 2009b).

The European borders drawn by civilisational differences and Cold War legacies remained intact (Chapter 2: 44-5) and were similarly valid for Ukraine as they were for Turkey (interview9-2). In this context, Ukraine remained and continues to remain a ‘small coin in high geopolitics’ (interview2), whereas geopolitics is a determinant for both the successes and failures in Ukraine’s liberalisation. However, in the 1990s the EU’s approach towards Ukraine was rather indifferent.

The first normative document establishing the basis for mutual cooperation between the parties was a Partnership and Cooperation Agreement (PCA). Indicatively, it was signed in 1994 (in comparison, Poland began its accession negotiations in 1990) and came into force only in 1998. Although the Agreement envisaged support to Ukraine’s transition, bilateral political dialogue was represented largely by consultations and economic cooperation (European Commission, 2003c). Neither did the Agreement include any clear indicators to monitor the progress of Ukraine’s reforms, which made it a declaration of intent rather than a roadmap for Ukraine’s democratic transition. As a result, up to the end of the decade, EU assistance targeted mainly the Chernobyl (nuclear) issue and business enterprise restructuring.

Similarly limited in its impact was a programme on Technical Assistance to the Commonwealth of Independent States (TACIS) launched in 1991 by the

European Council. The programme was ‘to assist economic reform and recovery in the Union of Soviet Socialist Republics’ (Council of the European Union, 1991: 2), but was elaborated on the basis of Euroatom and the EEC and prioritised nuclear safety. As an outcome, initial assistance was implemented on a decentralised basis and in the form of grants (Council of the European Union, 1993), while monitoring and evaluation were introduced in 1996 through the construction of a network of expert monitors, with tendering introduced in 2000. Institutional reforms appeared in TACIS only in 1996 (Council of the European Union, 1996) and were included in the list of areas of cooperation in 2000 (Council of the European Union, 2000). Not surprisingly, EU interventions during the 1990s did not affect policy design in Ukraine and often stumbled on the ground owing to the absence of state policies in respective areas (European Commission, 1998b: 20). Altogether this proves that despite the EU’s support for reform, the Ukraine’s domestic environment remained crucial for the implementation of received assistance.

On the other hand, the EU’s interest in reform was reflected in a rather modest size of assistance provided for the CIS states and Ukraine in particular (Table 5.1). For a comparison, by the end of 1996, the PHARE programme ¹⁷ provided its recipients with €6.6 billion, while TACIS made only €2.8 billion available (European Commission, 1997). Although Ukraine remained one of the key recipients of EU assistance among the former communist states, second only to Russia, ¹⁸ the volume of assistance enjoyed by the CIS countries was significantly smaller than reform support enjoyed by the candidate states, especially if recalculated per capita (Table 1.2).

Moreover, the difference in the volumes of financing remained intact. While €11 billion ‘of cofinancing for institution building ... and investment support’ were allocated for the PHARE states in 2000-2006 (European Commission, 2003d), during the same period only €3.2 billion euro became available for the TACIS programme (European Commission, 2006d). Thus, even

¹⁷ originally developed for Poland and Hungary in 1989 as ‘Poland Hungary Aid for the Reconstruction of the Economy’, and, throughout the 1990s, extended to other EU candidates (Bulgaria, the Czech Republic, Estonia, Latvia, Lithuania, Slovakia, Slovenia and Romania)

¹⁸ during 1991-1994, Ukraine consumed 9.7% of TACIS funds in comparison to 36.3% of those by Russia (European Commission, 1995); in the 2000s the share of Ukraine reached 15% in comparison to 26% of that one of Russia (European Commission, 2006c: 100)

the focus of the programmes (institution-building as opposed to technical assistance) differed, and although legal assistance and institutional reforms finally settled among the priorities of EU external aid for Ukraine in the 2000s, their share remained rather modest (Table 5.2), pointing to the fact that the EU's leverage and linkage with Ukraine remained weak.

Table 5.1 The distribution of TACIS assistance in Ukraine per sector (mln euro) for period 1991-1998.

	1991	1992	1993	1994	1995	1996	1997	1998
Enterprises restructuring and development	1.47	17.35	12.18	4.32	10.56	10.14	13.86	10.65
Food and agriculture	7.60	11.57	10.50	5.13	4.16	0.00	1.85	1.42
Non-nuclear energy and environment	6.13	8.19	5.46	11.88	7.04	6.30	8.62	9.59
Transport and tele-communications	4.90	8.19	3.36	0.00	0.00	0.00	1.85	1.78
Human resources development	4.66	2.89	6.30	4.05	7.04	7.95	3.08	8.17
Unallocated	0.00	0.00	3.78	1.62	3.52	3.01	1.54	3.91
Total allocated	24.75	48.20	37.80	25.38	28.80	24.39	29.26	31.60

Source(s): European Commission (1998b: 20)

Note(s): data are calculated from the data provided in the report

Table 5.2 The distribution of EU commitments and disbursements in Ukraine per sector (mln euro) for the period 2002-2009.

	Contracted	Paid		Contracted	Paid
Energy	396.07	231.1	Education	15.12	10.29
Legal, administrative, institutional reform	120.37	77.33	Transport	11.77	7.71
Border management and migrations	106.06	95.74	Civil Society	10.76	10.09
Economic development	104.86	70.22	Environment	10.26	6.35
Social consequences of transition	40.37	36.68	Media	4.64	4.04
			Miscellaneous	12.51	6.8

Source(s): retrieved from European Commission (2010e: 7)

Note(s): Since 2000, EU assistance reports are sorted not by specific programmes but by countries, regions and themes

In addition, the focus of the EU shifted towards stronger regional cohesion and a more global approach. Ukraine as well as other post-Soviet states was merged with developing countries under the framework of EuropeAid (European Commission, 2007a: 172; Council of the European Union, 2005). Although in 2007 TACIS was replaced with the European Neighbourhood Policy Instrument, or ENPI, which was to become a reflection of strengthened cooperation between the EU and its neighbours, the number of paid contracts under the ENPI declined significantly (Table 5.3), while the lack of supporting networks (see Chapter 2, pages 32, 37) limited Ukraine's capacity to process external assistance. Almost a third of all available funds were not implemented.

Table 5.3 Distribution of EU commitments and disbursements in Ukraine by instrument (mln euro, %) for the period January 2002-September 2009.

	Commitments		Disbursements	
	mln euro	%	mln euro	%
TACIS	635.09	76.3%	483.3	86.9
ENPI	103.34	12.4%	27.18	4.9
Other instruments	94.36	11.3%	45.87	8.2
Total	832.79	100.0%	556.35	100

Source(s): adapted from European Commission (2010e: 8)

Meanwhile, other major powers such as the U.S. and Russia concentrated on Ukraine's nuclear disarmament (D'Anieri, 2012) and security. After signing the Non-Proliferation Treaty, Ukraine joined NATO's Partnership for Peace (February 1994) and was assured in the security of its territorial integrity and political independence by Russia, the U.S. and the U.K. (the Budapest Memorandum on Security Assurances) in February of the same year. However, since then, Ukraine's security has been aligned with a balance in Russia-U.S. relations (D'Anieri, 2012).

While Ukraine's democratisation was not at stake during the first decade of its post-communist transition, the country became a tool of security bargaining by bigger regional powers. Its post-communist reforms lacked supervision from the EU, while consecutive Ukrainian governments continued to portray their country as a 'keystone in the arch of European security'. As a result, when Western relations with Russia worsened (particularly in such geopolitical aspects

as NATO enlargement and the Balkan conflict), U.S. and European politicians slowly changed their perceptions of Ukraine towards its becoming a 'guarantor against the revival of Russian imperialism' (Kubicek, 2005: 277). The differences in the Western camp lay only in how quickly this decision matured, as European politicians embraced this approach slightly later than American politicians (Kubicek, 2005).

The Westernisation of Ukraine since then has not represented a final goal but has only signalled the beginning of transformations in the whole region, including Russia (Kaminski & Frenkel, 2016). In this context, democracy promotion was one of the tools for securing EU external borders (N. R. Smith, 2015), which was reflected in the EU Common Strategy on Ukraine adopted in 1999. 'The emergence of a stable, open and pluralistic democracy in Ukraine' and 'cooperation in the field of justice and home affairs' were aligned with 'the maintenance of stability and security in Europe and the wider world' as the main strategic aims of the EU in Ukraine (European Council Common Strategy on Ukraine 1999: 1-2). Strategic cooperation with Ukraine was often emphasised as a 'source of regional stability' (p. 1 of the Strategy).

Moreover, in the beginning of the 2000s, Ukraine's stabilising economy delivered another incentive for the EU's growing interest in the country. Ukraine's skilled labour force and a relatively large market indicated its strong economic potential (Kubicek, 2005). The attractiveness of the Ukrainian market was amply demonstrated in the intensification of trade relations and investment flows. By that time, EU assistance in economic reform was considered efficient, although it fell in line with Ukraine's partial reform equilibrium (Chapter 4, Sections 4.2.3 and 4.2.5.1: 148), and economic recovery of the transitioning states allowed the strengthening of bilateral and regional cooperation (Council of the European Union, 2000).

However, EU investors began to appear in Ukraine only in 2002. Whereas EU-Ukraine cooperation practically stagnated during 1991-2001, the boost of investment to Ukraine occurred only after the victory of the Orange revolution (Figure 5.1 on inward investments). The event shifted Ukraine's foreign policy preferences to the West and the EU in particular (Figure 5.1 on outward

investments), while Ukrainian officials sufficiently liberalised foreign exchange system and trade.

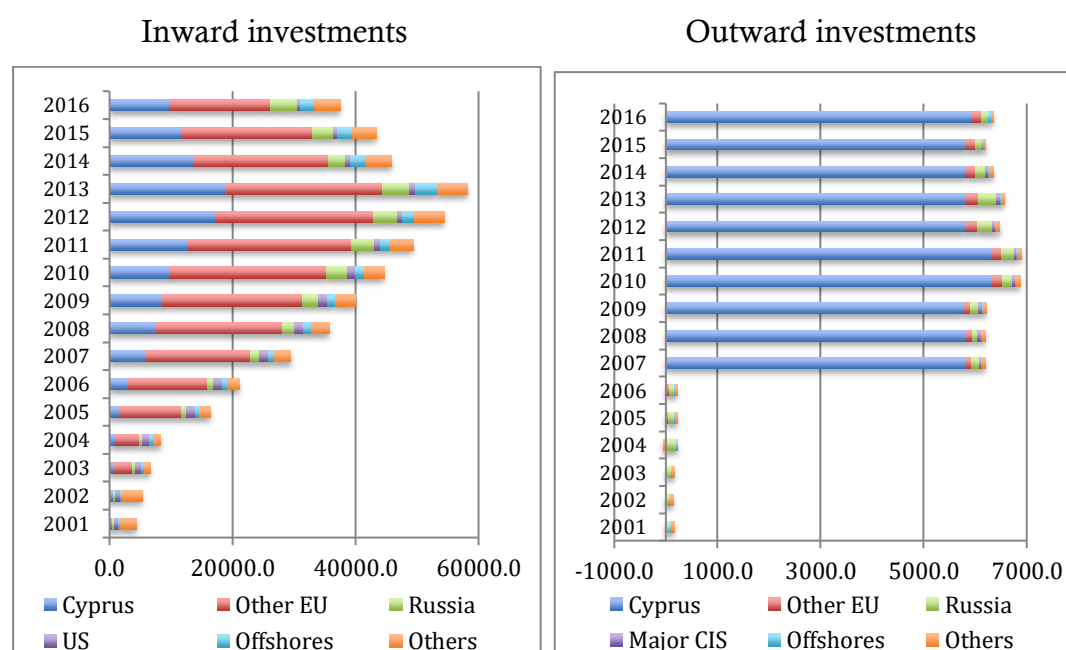


Figure 5.1 Ukraine's inward and outward investments by key partners (mln USD) for the period 2001-2016

Source(s): SSCU

Note(s): Since 2013, the data exclude Crimea and Sevastopol, and since 2015, the ATO territories of Donbas region are additionally excluded

It is noteworthy that Cyprus became a main destination for Ukraine's outward investments and the main EU investor in Ukraine (Figure 5.1). The reason for that lay in the special status of Cyprus, set by the Agreement on the avoidance of double taxation of income and property (Supreme Council of Ukraine, 1982) and Convention on the avoidance of double taxation (Supreme Council of Ukraine, 2013) that exempted residents of Cyprus from tax on income (including dividends, interest, royalties, and property). Obtaining residency was conditional only upon the amount of capital available for the applicant, and although conditions tightened in 2009, these have not stopped Ukrainian investors from obtaining residence permits and even EU (Cyprus) citizenship (Beswick, 2017; Farolfi, Pegg, & Orphanides, 2017). Despite a number of attempts to denounce the agreement of 2013, Ukrainian-Cypriot tax relations remain unchanged. In post-Maidan Ukraine the investigations associated with the

Cyprus financial flows and money laundry target not only Ukraine's former president Yanukovych and his entourage, but also Ukraine's current oligarchs (Zinets & Afanasieva, 2018). In light of Cyprus' status of a tax haven for Ukrainian businesses, most of Ukraine's financial flows, as revealed in Figure 5.1, appear to represent either hot capital (approximately 40% of inward investment) or the scale of money laundering in Ukraine (almost 90% of Ukraine's outward capital)

The importance of Ukraine's growing economy to the EU's search for bottom-up tools of democratisation has also resulted in the EU's retreat from normativity with regard to Kuchma and his policies. Whereas the Tapeagate Scandal (see Chapter 4) cost Ukraine its participation in the 2002 NATO summit (which indicated the strength of the U.S. position in the scandal) the Council of the EU expressed only 'concerns' with no real sanctions against Kuchma (Kubicek, 2005: 280). The 2002 EU-Ukraine Joint Statement even offered to "intensify discussions on the effects of enlargement" in the PCA stressing the progress in Ukraine's reforms (Council of the European Union, 2002, p. 1). The Commission continued to claim that Ukraine made 'a progressive transition to democracy' even on the eve of the Orange revolution (European Commission 2004b: 9) when, as was revealed in Sections 4.1.2.2 and 4.2.1, de facto policies of the regime were becoming more authoritarian.

Therefore, Ukraine's importance for the West at the beginning of the 2000s was based primarily on the extent of its possible detachment from Russia's sphere of influence (Kubicek, 2005). The EU considered Kuchma a 'useful bridge to Moscow' (Youngs, 2009b: 360), and EU geopolitical interests overwhelmed its interests in democracy promotion. Simultaneously, the EU seconded the American initiative for democracy promotion as a tool for security promotion for pursuing mainly economic interests: the PCA between the EU and Ukraine concentrated on legal provisions for the control of goods, capital and labour (European Commission, 2003c) and offered no substantial tools for democratisation.

The EU continued to encourage Ukraine's European aspirations in almost every statement but provided neither proper 'carrots' (promise of membership) nor stringent 'sticks' (sanctions against authoritarianism) (Kubicek, 2005: 285),

and Ukraine's domestic policies were equally declarative with regard to Europeanisation, as will be revealed in the next section.

5.1.2. Ukraine's multi-vector response to geopolitical challenges

Since the beginning of Ukraine's transition, Ukrainian elites promoted Ukraine's sovereignty as a tool to trade more personal benefits (including from Russia) while simultaneously using closer ties with the EU as leverage against Russian influence in Ukraine.

Accordingly, Kuchma's multi-vector foreign policy aimed at a careful balance between Russia and the West, in which Ukraine's declarations towards integration with the EU and joining the NATO did not impede Ukraine being heavily subsidised by Russian gas (Proedrou, 2010). Internally, the multi-vector foreign policy supported the aspiration of the majority of Ukrainians to maintain close and friendly relations with Russia, while simultaneously holding out a 'carrot' to those who aspired for reintegration with Western Europe by joining the European Union (Makhorkina, 2005).

This 'middle ground' position in Ukraine's foreign policy derived from its internal balance of power as well. Whereas the president's administration remained a primary determinant of Ukraine's foreign policy, the Parliament, as was demonstrated in Chapter 4, constantly challenged the president's authority. For example, when Kuchma turned to Russia at the beginning of the 2000s, most Ukrainian businesses, in contrast, were actively engaging in global markets. Ukraine's economic growth at the beginning of the 2000s coincided with the successful redistribution of economic power and legalisation of oligarchs' business activities, in which EU legislation could establish 'civilised rules of the game' (Melnykovska & Schweickert, 2008b: 15; D'Anieri, 2012: 454; interview 11; Sections 4.1.2, 4.2.3 and 4.2.5). Also, the growth of business profits depended on Ukraine's ability to benefit from its inclusion in global economy. Consequently, oligarch-dominated export-oriented industries lobbied for internationalisation and eventually sought out European association (Figure 4.6; Table 4.5).

As a result, although Ukrainian officials had already declared the course for European integration as the only solution to Ukraine's ills as early as the mid-

1990s, Ukrainian oligarchs began to support this course only in the mid-2000s. A widespread view adopted by Ukrainian businessmen was to make money with Russia but to protect profits in Europe (Puglisi, 2008). The distribution of outward investment flows proves this point (Figure 5.1) along with the correlation between illicit financial flows and foreign direct investments (Kar & Spanjers, 2015). Thus, the accounts of Yanukovych and his entourage suspected in the embezzlement of funds were blocked in Switzerland, Liechtenstein (M.V., 2014) and frozen in the EU, where Austria appeared to be the most popular destination (General Court of the EU, 2016). Accounts of Azarov and his family were found in Switzerland and Cyprus (Harding, 2016), while leaked documents from Mossack Fonseca (a Panamanian company that provides law and corporate services) has also demonstrated that the current president of Ukraine has a number of bank accounts in the British Virgin Islands, Cyprus and the Netherlands (Babinets & Lavrov, 2016).

This notwithstanding, the scale of money laundering in Ukraine has remained extreme (estimated as over US\$116 billion during 2004-2013, as was demonstrated in Figure 5.2). Supposedly, these funds were invested through ‘intricate chains of shell companies, registered through tax havens’ in ‘European and American assets’ (Bullough, 2017), which, together with sufficient legal support from lawyers made it almost impossible to trace these funds or to prove their embezzlement (Interfax, 2017; Harding, 2016; M.V., 2014).

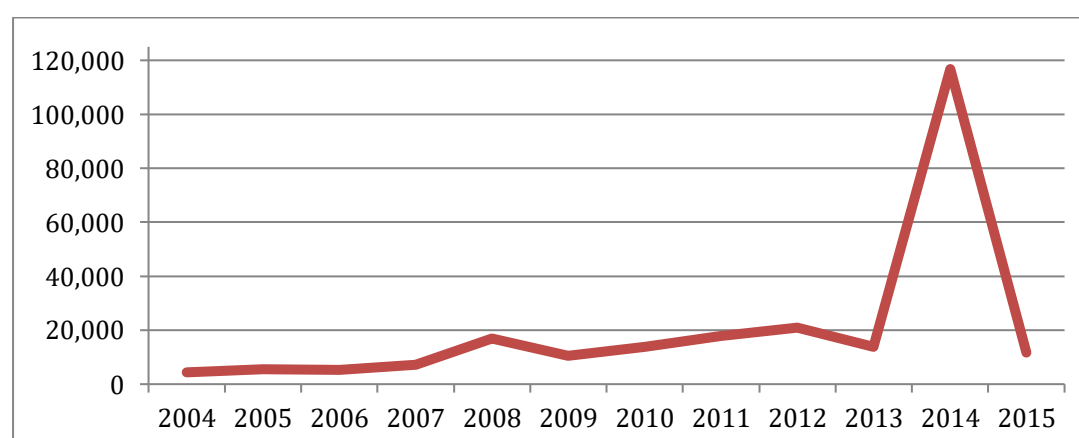


Figure 5.2 Estimated illicit financial flows from Ukraine (mlns of nominal U.S. dollars) for the period 2004-2015.

Source(s): Kar & Spanjers (2015)

While the EU remained a popular destination for Ukrainian oligarchs to secure their finances, EU companies also served as a good leverage against heavily-capitalised Russian companies that could threaten Ukrainian business in Ukraine. Ukrainian oligarchs preserved rent-seeking schemes with their Russian colleagues (Proedrou, 2010: 453), while the EU provided Ukrainian business with better opportunities for financial growth (Puglisi, 2008).

Altogether this explains the success of multi-vector foreign policy under Kuchma, although some division between pro-Russian and pro-European (pro-Western) politicians penetrated the discourses of Ukraine's politics after the Orange revolution. Those under Kuchma's protectorate attempted to balance by presenting Russia as a part of Europe and portraying Ukraine not as a 'buffer' but as a 'bridge' between Europe and Russia (Kuzio, 2001a: 360), while the opposition split into ideologically driven national-democrats with either a clear Western-oriented stance (Yushchenko's Our Ukraine) or rather pragmatic positions that emphasised the importance of Russia for Ukraine's development (Tymoshenko's Fatherland) as was partially revealed in Table 4.4. Yet most Ukrainian political forces began to support Ukraine's greater openness and inclusion in regional and international organisations (Makhorkina, 2005), because pro-Western policies allowed local businessmen to protect themselves from Russian influence while simultaneously gaining access to the international market and, thus, profits from sales.

Indicatively, Russian and Western politicians also viewed Ukraine's multi-vector foreign policy as capitalisation on Ukraine's geopolitical importance for the sake of Western money and exploitation of privileged relations with Russia (Schularick, 2005: 241-4). However, due to the fact that both Russia and the West *paid* with respective *kinship* in order to lure Ukraine to their spheres of influence, one may conclude that this tactic of balancing generally benefited Ukrainian politicians. Moreover, as Ukrainian oligarchs remained key veto players in Ukraine's politics, the EU could consider them a potential tool for bottom-up Europeanisation.

As Ukraine stabilised its economy and started advancing with selected economic reforms (Table 4.2; Figure 4.6), the EU began to use market liberalisation as economic incentive that could push Ukrainian business elites

closer to the EU (Melnykovska & Schweickert, 2008a) without precluding Ukraine's potential membership. By this process, economic integration still could result in Ukraine's compliance with EU norms (European Commission, 1998a).

However, Ukrainian oligarchs needed only 'a minimum of formal institutions' to engage in business in the international arena (Melnykovska & Schweickert, 2008b: 24). They did not intend to promote deep and comprehensive institutional reforms (Proedrou, 2010: 450), because those would have undermined existing corruption schemes (Chapter 4). As a result, if EU interests contradicted the expectations of Ukrainian oligarchs, Ukrainian elites restricted the EU's impact on respective policy areas, and the same persists to the present day (interview13).

As such, EU aspirations for Ukraine's democratisation (insofar as there were any) on the eve of the Orange revolution were doomed to fail. Rather, the Orange revolution became a successful example of revolutionary regime change, in which the interests of anti-Kuchma oligarchs coincided with interests of the EU and the U.S. who viewed Kuchma's reorientation to Russia as a bad geopolitical development.¹⁹

During the 1990s, Russia, although remaining a regional hegemony, could not offer Ukraine any tangible benefits that would tempt it to remain in the orbit of Russian influence. Russia itself was undergoing a number of domestic transformations heavily relying on external assistance, including that of the U.S., EU and IFOs (Shevtsova, 2010). Russia's weakness and course for alignment with Western institutions allowed Ukraine's realignment with the EU. As a result, the EU's regional economic dominance provided it with an opportunity to impact Ukraine to a greater degree than Russia (N. R. Smith, 2014a). However, after the entry into office of a new president (Putin) the situation changed. Russia resolved its Chechnya conflict and stepped into the zone of a stable economic growth, while Putin's claim that Russia needed 'strong state power' (Putin, 1999) was realised in tightening authoritarianism (McFaul, 2004) and a more demanding foreign policy.

¹⁹ in the aftermath of the Tapeagate scandal Kuchma began to slowly loose support from his Western partners and reorienting towards Russia (p. 178 in this Chapter).

The 2000 Concept of the Russian Federation's Foreign Policy stressed that Russia's calculations on 'new equal, and mutually beneficial partner relations between Russia and the outside world' were not justified. The country began to prioritise security interests and changed the focus of foreign policy towards cooperation with China and India as well as the formation of the Neighbourhood zone in Russia's perimeter. The Concept also declared 'security [of Russia], preservation and strengthening of its sovereignty as well as territorial integrity, strong and authoritative positions in international community that meet the interests of the Russian Federation as a great power the best' a top priority in Russia's foreign policy.

Whereas the U.S. viewed cooperation with Russia as a necessary part of European security (particularly in the light of NATO enlargement), Russia was supposed to be second to U.S. democratisation and security efforts in the region (White House, 2006: 39) (including those in Ukraine). Meanwhile, Russia preferred a more independent approach, while the EU supported U.S. initiatives viewing the USA and particularly NATO as the guarantors of European security (EEAS, 2003: 6).

Given the context of Russia's influence in Ukraine, both the EU and the U.S. supported democracy promotion initiatives in the region as a tool to serve their security interests. With regard to Ukraine, this was reflected in that both the U.S. and the EU (through an OSCE mission) legitimised the claims of the opposition for power during the Orange revolution (A. Smith, 2015: 9-10). Their targeting of domestic agents through democratic revolutions was later confirmed as an efficient strategy for democracy promotion.

The U.S. and the EU relied on a network of international and Ukrainian organisations, whose reports were reflected in Ukraine's international rankings, including Freedom House (Beissinger, 2006; McFaul, 2007). Youth and civil organisations that organised the protests had been trained under the aegis of the U.S. agencies and with participation of revolutionary activists from other post-revolutionary states (Serbia and Georgia), visible in the construction of collaborative networks among youth and civil society (Bunce & Wolchik, 2007; McFaul, 2007).

Targeting of domestic actors was also reflected in the use of the desire of Ukrainian officials and oligarchs to be considered part of the international community and civilised world, described in Section 5.2.1 as leverage. Meanwhile, active linkage was reflected in the U.S. and EU officials denouncing the actions of authoritarian Ukrainian officials as opposed to expressing their support to the opposition forces, including through visits at high level during the electoral campaign (McFaul, 2007). In this regard, soft politics allowed to legitimise and create the positive image of Western-backed candidate Yushchenko when the Yanukovych camp tried to link Western support to the opposition leader (Lane, 2008; Wilson, 2006).

With this background, although democracy promotion is not limited to a regime change (instead it should prioritise the strengthening of democratic institutions (Gershman & Allen, 2006)), the support towards the regime change was a key tool of democracy promotion by democratisers at the time. Moreover, it was viewed as a necessity in light of Kuchma's reorientation to Russia and U.S. president Bush's expansionist doctrine (A. Smith, 2015).

As an outcome, although the EU and U.S. approaches with regard to democratisation are generally different (the EU professes a more 'developmental' approach that views institution-building as part of broader national development, while the U.S. supports 'political' and agent-centred changes), both actors have complemented each other's actions throughout Ukraine's transition and especially during 'democratic revolutions' (Carothers, 2009).

Although the Orange revolution is often viewed as a sudden success that provided the EU with opportunities for political expansion (Youngs, 2009b), this expansion had been launched prior to the event. In its Communication of 2003, the EU had established the concept of 'Wider Europe' and the European Neighbourhood Policy (ENP), paving a basis for so-called 'association without membership' (European Commission, 2003a) (some details on the programme have been already provided in Chapter 2). In 2004, the official launch of the ENP confirmed a course for a new type of relations that were 'distinct from the possibilities available to European countries under Article 49 of the Treaty on European Union' (European Commission, 2004a: 3).

The ENP once again stressed its objective of ‘strengthening stability, security and well-being’ in the region (p. 3) by means of rapprochement with the EU, including joining the EU’s Internal Market, implementation of EU norms (rule of law, good governance, human rights, market economy and sustainable development) as well as joining ‘certain ... aspects of the EU’s external action’ such as the struggle against terrorism, the proliferation of weapons of mass destruction and conflict resolution (European Commission, 2004a: 3). Thereby, the ENP allowed the EU to satisfy its interests in trade, democracy promotion and security in Ukraine.

However, Russia viewed this policy as an offensive against its own living space, because the share of the EU in Ukraine’s trade and investment was steadily growing (Figure 5.1, Table 5.4), and the EU’s political engagement in Ukraine similarly increased.

Table 5.4 Ukraine’s main trade partners by region (%) and balance of trade (bln USD in current prices) with goods, 1996-2015

	Share CIS	Share EU	Share Asia	Share of the rest	Saldo CIS	Saldo EU	Saldo Asia	Saldo with the rest
1996	57.5%	24.4%	11.1%	6.9%	-4.0	-1.2	2.2	-0.3
1997	49.1%	27.9%	15.1%	7.9%	-4.3	-1.8	3.0	0.2
1998	44.2%	31.9%	14.3%	9.6%	-3.7	-1.0	2.1	0.5
1999	42.5%	30.4%	17.0%	10.1%	-3.5	0.2	2.5	0.6
2000	43.8%	30.2%	15.1%	10.9%	-3.6	0.5	2.6	1.0
2001	42.0%	32.1%	15.6%	10.3%	-4.2	0.8	3.0	0.9
2002	38.0%	34.1%	18.1%	9.9%	-4.6	0.9	3.9	0.8
2003	37.8%	36.0%	16.3%	9.9%	-5.5	0.8	3.5	1.3
2004	38.3%	33.5%	17.5%	10.8%	-6.8	1.5	5.6	3.4
2005	39.1%	32.0%	18.8%	10.1%	-6.5	-1.9	3.9	2.6
2006	38.9%	34.0%	17.5%	9.5%	-7.8	-4.1	2.3	2.9
2007	39.6%	33.0%	18.1%	9.2%	-7.4	-8.3	1.8	2.5
2008	37.1%	30.9%	20.6%	11.4%	-10.2	-10.7	0.4	1.9
2009	39.0%	29.3%	21.9%	9.8%	-6.2	-5.9	5.6	0.8
2010	40.5%	28.7%	21.2%	9.6%	-8.0	-6.1	3.7	1.0
2011	42.0%	29.0%	20.5%	8.5%	-11.0	-7.8	4.5	0.1
2012	39.0%	28.2%	22.7%	10.1%	-9.2	-9.1	0.5	1.9
2013	35.6%	31.2%	22.8%	10.3%	-5.9	-10.3	1.6	0.9
2014	29.7%	35.1%	24.2%	11.0%	-2.4	-4.1	4.5	1.4
2015	24.2%	37.5%	25.9%	12.4%	-2.7	-2.3	5.1	0.5
2016	19.3%	40.5%	27.4%	12.8%	-2.5	-3.6	2.9	0.4
2017	19.8%	41.3%	25.5%	13.5%	-4.6	-3.3	2.3	-0.8

Source(s): SSCU

Note(s): Data for 2014 and 2015 exclude Crimea, Sevastopol, and the territories of Donbas where the ATO is conducted.

Indicatively, while Russia simultaneously stressed a need to create a 'stable and united Euro Atlantic region — from Vancouver to Vladivostok, not allowing its new fragmentation' (Administration of the President of the Russian Federation, 2008), the EU did the same by intending to extend the 'European peace project' without drawing 'new dividing lines in Europe' (European Commission, 2003: 9). However and although both parties declared the same peaceful aims, their integration projects clashed in the neighbourhood region, where Ukraine became the apple of discord.

5.2. The EU in Ukraine's Europeanisation after the Orange and Maidan revolutions

Whereas Russia represented the main source of the EU's geopolitical entrapment, geopolitics also closely interrelated with the EU's normative entrapment in Ukraine. The latter is evidenced in the communicative entrapment, conditioned by the definition of Europeanness and criteria for becoming a European state, which was and is important for Ukraine in the context of its Europeanisation.

5.2.1. The implications of association with no membership

Although the EU genuinely supported the Orange revolution, it did not initiate Ukraine's democratic breakthrough per se. Rather the success of the Orange revolution 'de-entrapped' EU strategic aims, allowing to combine strategic (geopolitical and trade interests) and normative (democracy promotion) aims in the flow of rapprochement with Ukraine (Youngs, 2009b: 366-7). For new Ukrainian officials, integration with the EU and NATO became a first priority (Yushchenko, 2005), allowing the EU to promote its policies (such as the ENP).

One of the signs of this was the adoption of the Country Strategy Paper 2007-2013 that declared an aim 'to develop an increasingly close relationship, going beyond past levels of cooperation to gradual economic integration and deeper political cooperation, including on foreign and security policy' (European Commission, 2007c: 2). Ukraine was being subjected to the EU's Common Foreign and Security Policy (CFSP) and 'to the external dimension of the EU's internal policies' (Strategy Paper, p. 2). In contrast, the EU's support for such

important areas as democracy, good governance and administrative capacity-building was realised primarily through the intensification of trade and investment relations, poverty reduction and through the promotion of stability and security in the region (Strategy Paper, pp. 3-4). Therefore, the Strategy Paper did not provide any clear mechanisms for Ukraine's democratisation apart from the assumption that overall economic stability would almost automatically deliver positive results with regard to Ukraine's transition to democracy and market economy.

However, in order to monitor the implementation of the Strategy in Ukraine, two National Indicative Programmes (NIPs) for the periods 2007-2010 and 2011-2013 were established on the basis of the ENPI, a financial tool of the ENP. The Action Plan, established as an instrument of the ENP in 2004, also advanced the monitoring of the situation in Ukraine. The plan was negotiated by the parties (Petrovic & Klatt, 2015) and included a number of indicators that allowed the monitoring of Ukraine's progress in reforms and, therefore, elaborated on the Strategy Paper regarding more specific issues.

The first Action Plan for Ukraine was adopted for three years beginning in 2005 and was followed by annual reports. The 2005-2008 Plan emphasised the scale and comprehensiveness of reforms that Ukraine had to undertake. In the field of political dialogue, an emphasis was made on democracy promotion (free elections, reforms of the judiciary and administration, struggle against corruption) and cooperation on foreign and security policy (European Commission, 2005: 3-7). The EU also promoted principles of market economy by approximating Ukraine's legal regulations to European laws (the same was applied to trade and investment regulations, taxation, competition policy, intellectual and property rights) and the implementation of structural reforms (especially privatisation and the reduction of the role of state in price-formation and banking) (pp. 8-9).

Initially, some progress was achieved: Ukraine held free parliamentary elections in 2006, constitutional reform was launched, and the country joined the Council of Europe's group of states against corruption (GRECO), which improved Ukraine's positions on electoral freedom and human rights (European Commission, 2009d). However, this progress was limited. Implementation of reforms 'lagged ... due to long pre- and post-election periods of political

instability' (European Commission, 2006b), which continued throughout the late 2000s. Ukraine has not accomplished its constitutional or judicial reform (European Commission, 2009d); the parliamentary changes in the electoral law were criticised and no progress was made in the anti-corruption struggle (European Commission, 2010c). This half-hearted reform overlapped with the situation described in Sections 4.2.3, 4.2.4 and 5.1.2 and may be observed with regard to the efficiency of the ENPI as well.

As Table 5.5 illustrates, throughout 2007-2010, the effect of the ENPI was rather similar to that of the TACIS (Table 5.3). Implementation of reforms was not balanced, especially with regard to democracy and good governance. On the other hand, the EU committed more funds than initially programmed and its support could have been greater if Ukraine had aspired to the implementation of reforms.

Table 5.5 EU aid to Ukraine under the ENPI by sectors (in %) and by years of the NIP (mln euro) for the periods 2007-2010 and 2011-2013.

National Indicative Programme (NIP) Ukraine 2007-2010	Programmed	Committed
Support for democratic development and good governance	30%	7%
Support for regulatory reform and administrative capacity building	30%	42%
Support for infrastructure development	40%	51%
Total NIP 2007-2010	494 mln euro	522.6 mln euro
National Indicative Programme (NIP) Ukraine 2011-2013	Programmed	Committed
Good governance and the rule of law	20-30%	20%
Facilitation of the entry into force of the EU-Ukraine Association Agreement (including a DCFTA)	25-35%	28%
Sustainable development	45-55%	52%
Total NIP 2011-2013	470 mln euro	483 mln euro
Grand total Ukraine 2007-2013	964 mln euro	10005.6 mln euro

Source(s): retrieved from European Commission (2014c: 48)

Yet Ukraine's market liberalisation succeeded only to a degree and only when the EU (European Commission, 2003b) and the U.S. pushed for Ukraine's internationalisation. In 2005, the U.S. declared Ukraine a market economy; in 2008, Ukraine gained membership in the WTO, which created a basis for its economic rapprochement with the EU. However, Ukraine still had to promote structural reforms of its economy (European Commission, 2006b), while Ukraine's officials generally neglected reforms in administrative and judiciary frameworks, taxation and property rights (European Commission, 2009d). As a result, Ukraine lagged behind East Central European states and most Balkan post-communist states with its progress in economic transition (Table 1.1 and Table 1.2).

Such ambiguous outcomes of EU policies in post-revolutionary Ukraine could be generally explained by the EU's overemphasised belief in Ukrainian elites, whose obsession with the struggle for power led to chronic political stalemate and prevented the country from reforming. Yet the ENP itself also had a number of flaws that made this policy unfit for substantial democracy promotion.

Whereas the takeover of the Orange coalition symbolised the normative victory of the EU and boosted Ukraine's aspiration for a European future, the EU's declarative support and even enhanced mechanism of cooperation (the ENPI and Action Plans) was not enough to sustain these aspirations. By removing the membership 'carrot' from agenda, the EU devalued its capacity to inspire and motivate Ukraine's elites and people to more substantial reforms (Petrovic & Klatt, 2015).

EU-Ukraine Action Plans remained rather superficial in terms of problems they tackled. Apart from the Twinning programme that aimed at capacity-building of the Ukrainian agencies, the areas of cooperation tackled either EU strategic interests (stability of gas transit, enhanced trade and control over irregular migration) or social developments (transport infrastructure and demographics in Ukraine) (Table 5.6). This limitation of the Action Plans derived from the limitations of the ENP itself.

Table 5.6 Priorities in EU-Ukraine cooperation for the period 2007-2009

Document	Initiatives included	Specific objectives	EU contribution (mln euro)
Annual Action Programme 2007	EUBAM (EU Border Assistance Mission to Moldova and Ukraine)	Control over irregular migration, approximation of Ukraine's border management with EU/Schengen standards	35
	Twinning (institutional cooperation between public administrations)	Building up the capacity of the Ukrainian ministries and agencies to commit ENP Action Plan and related agreements	20
	Energy Strategy in Ukraine	Ukraine's integration in the EU Energy Market and stability of gas transit (European Commission, 2007b: 1-2)	87
Annual Action Programme 2008	Promoting mutual trade	Gradual integration of Ukraine into the EU Internal Market	45
	Twinning	Building up the capacity of the Ukrainian ministries and agencies to commit ENP Action Plan and related agreements	21
	Energy Strategy in Ukraine	Energy efficiency and renewable energy sources (European Commission, 2008a: 1-2)	70
Annual Action Programme 2009	Transport Strategy in Ukraine	Institutional reform in transport sector (European Commission, 2009b, Annex 1: 5)	65
	Environmental strategy in Ukraine	Sustainable development of society and demographic situation (European Commission, 2009b, Annex 2: 14)	35
	Twinning and ENP support technical assistance (European Commission, 2009b: 3)	Building up the capacity of the Ukrainian ministries and agencies to commit ENP Action Plan and related agreements, to prepare Ukraine towards the implementation of the DCFTA, and to provide sector-wide support (European Commission, Annex 3, 2009b: 22)	16

Source(s): European Commission, ENPI Annual programmes

For Ukraine, the concept of association with no membership was ultimately vague. EU demands for reforms were seen as those that required almost no efforts from the EU but massive obligations from Ukraine (N. R. Smith, 2014a). Ukraine demanded guarantees from the EU before taking any further steps in reform, while the EU viewed the implementation of reforms as an inalienable precondition for the beginning of any negotiations on future EU-Ukraine relations.

Moreover, both parties implied different meanings of Europeanness as well. While EU officials abided by the content of association with no membership, Ukrainian people and officials began to push for political rapprochement viewing membership as their final aim.

In this regard, although the EU had established a monopoly on the notion of Europeanness, it could not continue its enlargement without damaging this image. Meanwhile, belonging to the European in-bound group remained inextricably linked with membership in the EU (Haukkala, 2008a). As a result, the EU preserved the status quo by limiting the content of Europeanness to the decisions of the European Commission on the implementation of ENP-related Action Plans (Leino & Petrov, 2009), and the EU's approach on determining which states are eligible to become its members remained and remains rather vague (Wallace, 1992).

Indeed, stable democratic institutions, a market economy and the ability of a potential member to meet its obligations in the EU (the Copenhagen criteria) allow the EU to reinforce its values in the candidate countries, but these values remain highly abstract, and only EU bodies may decide on whether the candidates meet their demands of membership or not (Article 49 of the Treaty on European Union, p. 43). Moreover, whereas 'any European state which respects the [European] values' may become a member of the EU (Article 49), this Europeanness is 'geographic' (European Commission, 2018d), which does not explain why integration has been removed from agenda for some states which are geographically European such as Ukraine.

Most Ukrainian respondents considered Ukraine a European state in cultural and historical terms (albeit not political and economic, according to Razumkov Centre (2012)), and while popular support for the Western course has

not been definitive among the Ukrainian public, Ukrainian officials have largely succeeded in shaping Ukraine's pro-European aspirations:

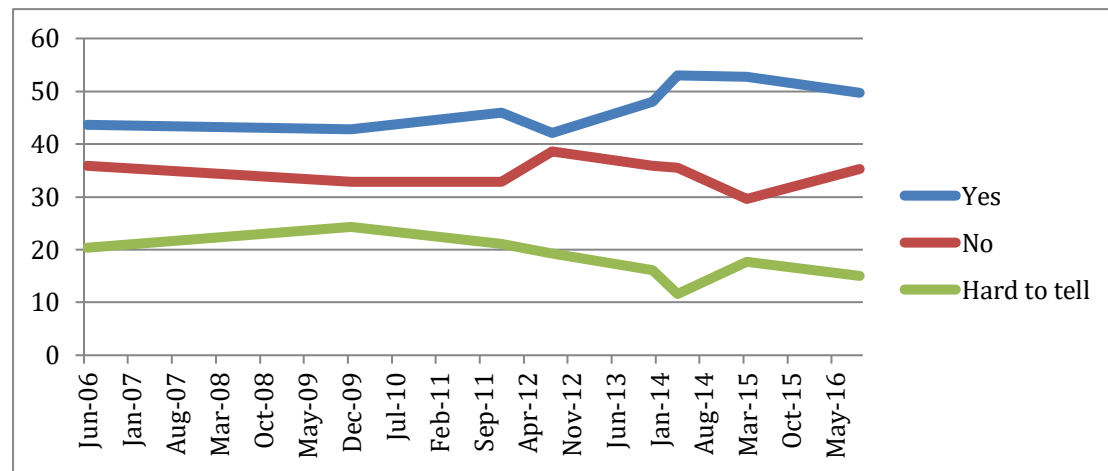


Figure. Results of public opinion poll, 'In your opinion should Ukraine join the EU?'

Source(s): Razumkov Centre (2016c: 7)

First, Ukraine's policy-makers declared Ukraine a European state. According to the law On the key directions of the Foreign Policy of Ukraine of 1993, Ukraine aimed for 'the restoration of ... connections with European civilisation', acceleration of democratisation and market reforms through closer cooperation with Western European states (Article 3A, point 1B). Ukraine aspired to become 'an influential European state' (the Article 3A, point 1C) and was labelled 'a European state' by Article 11, part 1 of the law On the principles of Domestic and Foreign policy of Ukraine dated 2010. Importantly, both laws declared EU membership a main priority in Ukraine's foreign policy.

The EU's 'association with no membership' was perceived as 'virtual' policy in Ukraine (Kuzio, 2003:). Ukraine's status of 'as plausible ... candidate for EU membership as New Zealand' (Kubicek, 2005: 280) was almost an insult to Ukrainian officials (Youngs, 2009b). Yet Ukraine's official pro-European rhetoric lacked substantial reform as was revealed in Chapter 4, further explored in this section and will be further revealed in Section 5.2.3.2.

Meanwhile, the importance of the membership incentive also lay in related financial benefits such as substantially higher volumes of financial and technical assistance which could have potentially motivated Ukrainian politicians to take a

risk and reform (this would be later claimed by the Azarov's government in 2013). As was demonstrated on pp. 173-4 of this Chapter, the TACIS and PHARE programmes were very different in their scope and focus, and although EU assistance cannot be measured in financial terms alone, the scale of technical and expert assistance under the PHARE programme was incomparably higher than that for the remaining post-communist states.

Moreover, the urgency and timing of the respective programmes also demonstrates that EU assistance reached East Central European states earlier than former Soviet republics due to visible interest of local elites in receiving this assistance (Petrovic, 2013; Section 2.2.2 of this thesis). Potentially, EU interest in Ukraine's reforms could have been greater if Ukrainian elites had demonstrated a similar request of their own (Table 5.5). However, in an absence of such requests, EU democratisation efforts in Ukraine fell behind those of security and trade, as mentioned in the previous section.

Ukraine failed to meet the democratic criteria of the EU at the beginning of the 2000s and again in the 2010s. Ukrainian politicians concentrated on pro-European declarations (including those enumerated in the legal provisions mentioned above) but not on actual reforms, and, even potentially, Ukraine could only become eligible for EU membership if it met the political and economic conditions of the EU.

Against this background and given the position of EU officials, it had to be apparent to Ukrainian people and officials that Ukraine's rapprochement with the EU was generally 'welcomed' (European Commission, 2005) but only in the context of those aspects of cooperation that the EU declared in the ENP. Meanwhile, the EU had no plans for Ukraine's accession and Ukraine's progress in reforms remained its own problem.

5.2.2. The Eastern Partnership and the EU's 'rhetorical entrapment'

Throughout the 2000s, EU-Ukraine relations could be characterised as temporising. After the big bang of 2004 and the accession of Bulgaria and Romania, the EU began to experience enlargement fatigue. The EU not only required more time to absorb already accepted members, the opening of negotiations with the Balkan States and Turkey also raised a number of debates

around the necessity of the EU's further enlargement in the context of historical, civilisational, political and socio-economic explanations (Petrovic, 2013: 139-40; Phinnemore, 2006). Ukraine was not viewed as part of old or/and new Europe, which together with above-mentioned context explained the comparative lack of EU interest in further enlargement.

However, instead of clarifying its position on the normative agenda, the EU continued to tighten the accession conditions for the candidate states, which complicated the accession process (Petrovic, 2013: Chapter 5; 2017). Indeed, this prevented the EU's further enlargement but made it less attractive for those states that remained outside the European club. Moreover, while tightening of the accession conditions may be explained by a more complex socio-cultural and political context of the candidates, EU accession preferences continued to remain vague and momentum-driven. While the accession of Romania and Bulgaria was accompanied albeit with geopolitical concerns, the membership of Turkey became increasingly marginalised in the agenda primarily due to civilisational rather than normative differences — at least not until the more recent deterioration in relations between the EU and Erdogan's Turkey (Casanova, 2006; Müftüler-Bac, 1998). Accordingly Ukraine began to draw parallels between its own and the Turkish case (interview9-1; Kuzio, 2006; Schimmelfennig, 2008).

Finally, the EU also experienced 'rhetorical entrapment' between strategic geopolitical constraints such as Russia and normative constraints of association without membership in Ukraine (Youngs, 2009b). From a normative perspective, the EU had to maintain its course of democracy promotion. However from geopolitical perspective, both Russia and the EU encouraged Ukraine to join their integration projects, which forced the competing actors to make certain concessions to Ukrainian officials. This created a situation when, on the one hand, the EU has rhetorically supported democracy promotion in Ukraine, but, on the other hand, it has neither sanctioned the Ukrainian government for violation of EU norms (in order not to become a less attractive integration pole) nor provided a membership incentive which could have pushed for democratisation (for reasons described in the beginning of this section).

Therefore, only such domestic breakthroughs as the Orange revolution could provide the EU with a legitimate cover to push for more reforms in

Ukraine. Yet, as the initial stage of this single de-entrapment passed with the end of the Orange revolution, the rhetorical trap resumed and EU-Ukraine relations reversed to the state of ‘the door neither closed nor open’ (Youngs, 2009b: 367-8) — a narrative that remains present to this day (c3EU5,6).

As demonstrated above, the number of problems in the ENP required action, and the solution seemed to be found in tightening relations between the parties. The Eastern Partnership (EaP), a sub-policy of the ENP was launched in 2009 for six post-Soviet states: Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine, and it aimed at accelerating reapproachment between the EU and its Eastern neighbours.

While the EU generally confirmed the need to ‘strengthen’ the ENP (European Commission, 2006a; Council of the EU, 2006: 18), new members from East Central Europe and the Baltic states were a driving force behind the initiative (Petrovic & Klatt, 2015). Poland even presented ‘the deal as a path toward EU membership’ (Goldirova, 2008), and since the EU’s ambiguous position on association persisted due to the differences among its member-states and consensus policies that derived from negotiating these different positions, the EaP became a reflection of a temporary consensus on Ukraine and other Eastern neighbours (Haukkala, 2008a; N. R. Smith, 2014a; Youngs, 2009b).

The consensus lay in strengthening bilateral and multilateral cooperation in Eastern Europe by signing association agreements, establishing deep and comprehensive free trade areas (that could ‘grow into a Neighbourhood Economic Community in the longer term’), enhancing people-to-people contacts and supporting economic and social development (European Commission, 2008b: 3) without providing the neighbours with any membership incentive.

The EaP aimed to ‘accelerate political association and further economic integration between the European Union and interested partner countries’ (Council of the European Union, 2009c: 5), wherein economic convergence and mobility of citizens (visa liberalisation) were to motivate EU neighbours to reform, while cooperation on energy (‘supply and transit’) and institution-building (strengthening administrative capacity ‘through training, technical assistance and any appropriate innovative measures’ (8, 7) allowed the EU to achieve its strategic aims in the region.

The EaP also included a promise to provide the participants with more economic assistance (Petrovic & Klatt, 2015) by gradually increasing EU aid throughout 2010-2013 (European Commission, 2010d: 3; Figure 5.3) and introducing macro-financial assistance (Council of the European Union, 2011a: 4). The aid was to support institution-building (AAs, visa liberalisation, Twinning), regional development programmes (infrastructure, human capital, small and medium enterprises) and four policy platforms (democracy promotion, economic integration, energy security and people-to-people contacts). Therefore, the EaP targeted not only national and local governments (through twinning contracts) but also civil society and small and medium enterprises (European Commission, 2010d: 4, 8). As such, the EU wanted to persuade Eastern neighbours to ‘mutually commit’ to its norms and policies (European Commission, 2008b) in exchange for more economic assistance (Petrovic & Klatt, 2015). For Ukraine that meant that the EU offered economic integration as a carrot for the adoption of European legal norms (Haukkala, 2008a) and policy convergence.

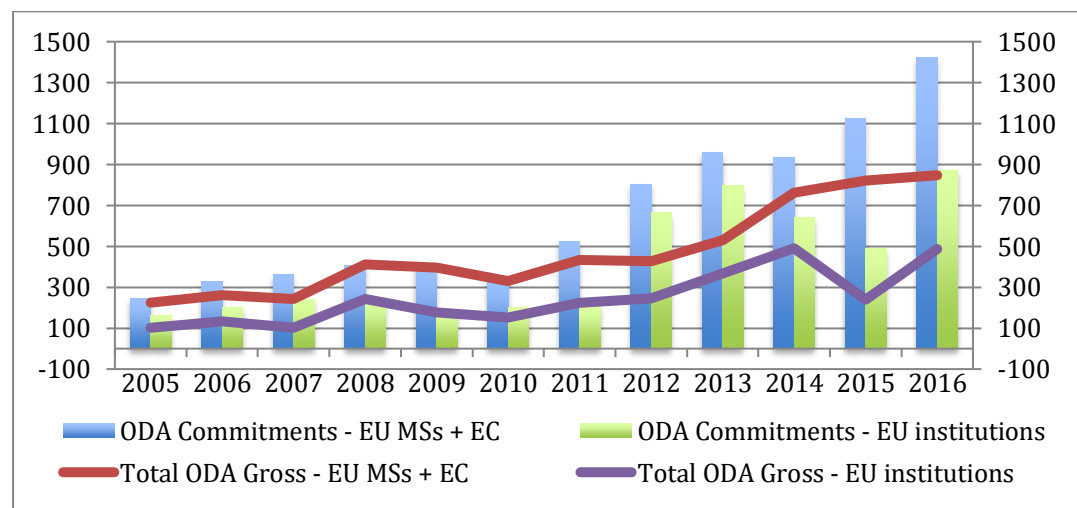


Figure 5.3 The dynamic of EU-led developmental aid for Ukraine, 2005-2016

Source(s): OECD

In March 2007, Ukraine and the EU launched negotiations on the Association Agreement (AA) to make it a basis of bilateral cooperation instead of the PCA that had expired in 2003. Accordingly, the Association Agenda was to

replace the Action Plan as a more advanced instrument of EU-Ukraine bilateral cooperation (European Commission, 2009e). The EaP intensified the process of rapprochement, providing Ukraine with closer level of cooperation with the EU, yet without the prospect of membership. The upcoming Association Agreement was to facilitate Ukraine's 'greater political association and economic integration with the EU' (Council of the European Union, 2009a: 4), wherein the Deep and Comprehensive Free Trade Area (DCFTA) became a main component of the upcoming Agreement.

It is hard to judge, however, whether this initiative allowed the EU to motivate Ukrainian political elites for reforms (Haukkala, 2008a) or to approach Ukrainian oligarchs (Melnikovska & Schweickert, 2008b) and promote EU trade interests in Ukraine, because the economic effects of such cooperation were dubious. Although EU investments poured into the country due to the interest of foreign investors in Ukraine's market (Figure 5.1), Cyprus remained dominant in the inward and outward EU investment flows. Since the DCFTA had not been signed, the EU market also remained closed to those Ukrainian goods that made a core of Ukraine's exports to the EU (steel and agricultural products) (Haukkala, 2008a), and such a situation did not favour Ukraine's interests.

Moreover, economic incentives turned subsequent EU-Ukraine negotiations on political and economic association into a tool of trade between the parties, because the EU's offering of economic integration overlapped with the hope of its officials that the EU's remaining neighbours would remain outside the European club, while Ukrainian authorities intended to gain more benefits and aid from the EU.

Meanwhile, Ukraine's presidential elections of 2010 ended with the victory of Yanukovich who had lost during the Orange revolution and was viewed as rather pro-Russian. Nevertheless, Yanukovich sought a solution that allowed deeper integration with Russia without precluding an association agreement with the EU (D'Anieri, 2012). Ukraine maintained the course of the previous government and the decision to sign the AA, including the DCFTA, declared during the Yanukovich presidency.

At the 2010 Ukraine-EU Summit, Ukraine undertook a number of obligations on reforms (including constitutional, regulatory, administrative, and

energy), wherein ‘the depth of the EU-Ukraine relationship’ was to ‘be determined by the implementation of reforms and by further consolidation of common values’ (Council of the European Union, 2010: 1). The same condition was confirmed at the 2011 EaP Summit (Council of the European Union, 2011a: 2). Economic reforms and strengthening institutional capacity were set as key priorities for all the EaP states.

This was evident in three priorities of the NIP for Ukraine for 2011-2013. The first priority referred to good governance and the rule of law concentrating on judicial reform, combatting corruption and organised crime, border management as well as reform in public administration (culture of transparency promoted mainly through human resource management) and public finance (accountability of government expenditure and approximation of the tax system in line with EU standards). Other priorities lay in the facilitation of the AA and DCFTA and the achievement of Ukraine’s sustainable development through Ukraine’s integration into the European Energy Market and Trans-European Transport Network, environmental protection, regional and rural development (European Commission, 2011c: 4, 8-24).

Similar aims were marked in respective Annual Action Programmes, with the EU combining its conditionality and socialisation mechanisms. On the one hand, the EU supported justice reform and Twinning programme and, on the other hand, it emphasised people-to-people contacts, participatory governance and social infrastructure (in Crimea) as examples of regional and community development (Table 5.7).

In contrast to the 2007-2009 Annual Programmes (Table 5.6), EU programmes after the launch of the EaP were becoming more context- and reform-oriented. Whereas Twinning technical assistance represented the only instrument of institutional support during 2007-2009, throughout 2010-2013 the EU additionally promoted community-oriented initiatives (regional development policy, regional policy and community-based approach) aimed at local development and self-administration. EU programmes also incorporated plans for specific reforms such as those in the justice sector in 2010 or civil service in 2011 (Table 5.7).

On the other hand, the evolution of the programmes also demonstrates that despite the EU's continued socialisation mechanisms in its policies regarding Ukraine, the EU was much more limited in its promotion of conditionality because the Ukrainian officials professed a rational approach and implemented only those EU demands that met their political interests. Although the EU committed more assistance to Ukraine from 2011, the gap between committed and implemented funds continued to steadily grow (Figure 5.3).

Due to the fact that economic recovery was a key priority in Yanukovych and his Party of Regions agenda, his government concentrated on fiscal consolidation and economic reforms (including a gas sector reform of 2010 that allowed Ukraine to join the European Energy Community in 2011) but neglected constitutional reform. Whereas regulation of business activities was enhanced, the situation with regard to human rights and elections was deteriorating (European Commission 2011d; 2012c). By 2012, EU cooperation with Ukraine progressed mainly in the field of energy (joining the Energy Community Treaty) and visa liberalisation (European Commission, 2012c), while the only hallmark of reforms in 2013 was the Criminal Procedure Code (European Commission, 2014d).

Accordingly, the adoption of EU normative documents was limited to the areas of interest of the Ukrainian decision-makers, who eventually undermined EU conditionality. Socialisation remained weak and the EU strategy of democracy promotion was confined to formal democratisation (Casier, 2011). Against this background, the AA appeared as the only tool that could push Ukraine's elites towards the implementation of comprehensive institutional changes.

The EU began to emphasise the efficacy of governance (Youngs, 2009a), because strengthening 'the capacity of the Ukrainian administration to face the integration challenge' (European Commission, 2009a: 20) could enable the Action Plan, the Association Agreement and the DCFTA (22). However, at the time, the EU did not promote transparency or accountability of governance in Ukraine (Youngs, 2009a), which weakened any potential impact on substantive democracy promotion.

While some initiatives towards reforms in the justice sector and public administration were included in EU-Ukraine Action Plans in 2010 and 2011, by 2013 the focus of cooperation shifted towards regional cooperation and more interest-driven issues such as energy, transport and migration (Table 5.7).

Simultaneously, EU efforts within the EaP were built in a way that allowed the EU to realise its interests in Ukraine as well as to motivate Ukraine's elites to comply with EU requirements. Political association represented a tool for democracy promotion and promotion of EU security interests; economic cooperation provided Ukraine with a financial carrot while satisfying EU trade interests; cooperation in the field of mobility opened opportunities for greater socialisation (people-to-people contacts) simultaneously protecting the European border from uncontrolled migration (Table 5.6, Table 5.7 and Table 5.8).

As such the AA became a consolidated framework for bilateral cooperation that could potentially satisfy the interests of both partners, albeit to the extent determined by the EU and under its guidance. Yet the problem of the ENP as a top-down approach remained unresolved (Haukkala, 2008a; Korosteleva, 2011). Ukraine was put in a position of a student, because it could not shape European norms and because the EU could not allow a non-member to determine the content of its norms. Simultaneously, the EU could not clearly explain what exactly it was promoting under the aegis of 'shared norms and values' (Korosteleva, 2011). As a result, cooperation between the parties became limited to the discussion around the upcoming AA and DCFTA, and negotiations became a bargaining game.

Whereas the AA appeared as a tool that could result in Ukraine's democratisation through 'convergence and approximation ... to European Union values, standards and norms' in 'political, economic and legal areas' (Council of the European Union, 2011c) including through 'approximation with the EU *acquis* [in all sectors] and the overall modernisation of Ukraine's institutions' (European Commission, 2012c: 2), Ukraine required guarantees from the EU. Ukrainian elites were interested in certain material benefits more than vaguely formulated EU values and norms.

Table 5.7 Priorities in EU-Ukraine cooperation for the period 2010-2013.

Document	Initiatives included	Specific objectives	EU contribution (mln euro)
Annual Action Programme 2010	Support to the Justice Sector Policy Reforms in Ukraine	Reforms in justice sector (European Commission, 2010a, Annex 1: 4)	10
	Support to the Joint Cooperation Initiative in Crimea	Social and economic development in the region through the promotion of tourism, development of social infrastructure, and attraction of investments (European Commission, 2010a, Annex 2: 16)	12
	Community Based Approach phase II	Strengthening participatory governance and community-based initiatives through enhancing citizenry participation in decision-making and energy efficiency (European Commission, 2010a, Annex 3: 41)	17
	Twinning and ENP Support Technical assistance	'Meeting the objectives of the EU-Ukraine Association Agenda, as well as prepare for implementation of the Association Agreement and the DCFTA' (European Commission, 2010a, Annex 4: 49)	11
	EU 2010 Contribution to the Eastern Europe Energy Efficiency and Environment Partnership Fund (European Commission, 2010a: 3)	Energy efficiency and environmental projects (European Commission, 2010a, Annex 5: 59)	10 (with other contributors - over 55 mln euro)
	Support to the Border Management Sector Policy in Ukraine (European Commission, 2010b: 3)	'Secure borders and the facilitation of legal movements of persons and goods, according to EU standards' (European Commission, 2010b, Annex: 5)	66

Annual Action Programme 2011	Support to EU-Ukraine Agreements	Raising Ukraine's institutional capacities to meet the demands of and to implement the EU-Ukraine Association Agreement, including the DCFTA, and visa liberalisation dialogue (European Commission, 2011a, Annex 1: 4)	30
	Support to Ukraine's Regional Development Policy	'Social, economic and territorial cohesion of the country' (European Commission, 2011b, Annex 1: 5)	20
	Second EU Contribution to the Eastern Europe Energy Efficiency and Environment Partnership Fund	Energy efficiency and environmental projects (European Commission, 2011b, Annex 2: 15)	15
	Reform of the Administrative Legal Framework and Civil Service in Ukraine	Implementation of the Action Plan, the EU-Ukraine Association Agenda and the support of Public Administration Reform through a coherent legal framework (including Code of Administrative Procedures), law on civil service, reform in justice service (European Commission, 2011b, Annex 3: 25-6)	70
Annual Action Programme 2012	Framework Programme in support of EU-Ukraine Agreements	Preparation and implementation of the EU-Ukraine Association Agreement, including the DCFTA and visa dialogue/Visa Liberalisation Action Plan (European Commission, 2012a, Annex 1: 6)	27
	Support for migration and asylum management in Ukraine	Alignment of Ukraine's migration management with European standards and in line with visa liberalisation (European Commission, 2012a, Annex 2: 18)	28
	Third EU Contribution to the Eastern Europe Energy Efficiency and Environment Partnership Fund	Energy efficiency and environmental projects (European Commission, 2012a, Annex 3: 30)	15

	Ukraine's Energy Strategy	Support of Ukraine's energy needs and preparing for the the Association Agreement/DCFTA (European Commission, 2012b, Annex 1: 12)	45
	Community Based Approach to Local Development – CBA Phase II	Strengthening participatory governance and community-based initiatives through enhancing citizenry participation in decision-making, energy efficiency, networking and community mobilisation (European Commission, 2012b, Annex 2: 24)	23
Annual Action Programme 2013	Regional Policy	Improving Ukraine's cohesion through the promotion of competitiveness of regions, territorial socio-economic integration and effective state governance (European Commission, 2013, Annex 1: 11)	55
	National Environmental Policy	EU environmental acquis approximation and support towards Ukraine's Water Policy (European Commission, 2013, Annex 2: 373)	55
	Sector Policy Support Programme	Support towards Ukraine's gradual integration in the EU Internal Market through the implementation of the AA and DCFTA in the area of technical barriers to trade, harmonization with EU regulatory framework and institutional infrastructure (European Commission, 2013, Annex 3: 65)	55
	Support to EU-Ukraine Agreements	Raising Ukraine's institutional capacity to implement the EU-Ukraine Association Agreement, including the DCFTA, and visa liberalisation/Visa Liberalisation Action Plan by improving 'policy making system and institutional framework', introducing 'state aid control system in Ukraine', supporting 'participation of Ukrainian administrations in selected EU programmes' (European Commission, 2013, Annex 4: 82)	21

Source(s): European Commission, ENPI Annual programmes

In this regard, the membership incentive could have become a solution for Ukraine, but the EU's official discourse remained the same. Although Ukraine was declared 'a European country with European identity' that shared 'a common history and common values' with the EU (Council of the European Union, 2011c), the prospect of Ukraine's membership remained outside discussion. The EU's position during the negotiations on the AA also revealed that its overall approach in Ukraine had not changed since the victory of the Orange revolution and had therefore not been elaborated upon. EU representatives refused to include any allusion to Ukraine's potential membership in the text of the Agreement or to go for broader economic concessions (Azarov, 2013).

Therefore, although the EaP implied an increase in economic assistance for Eastern Europe (Petrovic & Klatt, 2015), this support depended on the signing of the AA and DCFTA. As Figure 5.3 demonstrates, there was no significant growth in aid for Ukraine following 2012, while the absence of the prospect of membership did not provide Ukraine with any guarantees on how to compensate for a potential loss of Russian market. Ukraine could not remain simultaneously part of the European and Russian economic projects (this will be revealed in more detail in Section 5.3), but in the course of EU-Ukraine negotiations on the AA EU officials provided no solution to this problem (Azarov, 2013).

The trading aspect of the negotiations received even more attention in the context of the geopolitical situation in the region. By pushing for political association and economic integration with Ukraine, the EU underestimated the geopolitical factor of Russia and deprived Ukraine of space to balance between Russia and the EU. Ukraine's interests were thereby neglected (N. R. Smith, 2014a), while the interests of Russia and the EU in Ukraine clashed.

The *calculus* logic of the EU also explains why negotiations over the AA and DCFTA with Ukraine continued even in the absence of progress in such important democracy promotion areas as reforms of the judiciary, public administration and constitutional reform (European Commission, 2013b). At the 16th EU-Ukraine Summit held in February 2013, both parties once again 'reaffirmed' their course for rapprochement and their intention to sign the AA, although Ukraine had to comply with obligations in the Conclusions of the 10

December 2012 Foreign Affairs Council of the European Union (Council of the European Union, 2013b).

Meanwhile, the country was regressing towards authoritarianism (Section 4.2.4), but, similarly to the case of Kuchma in the early 2000s (Section 5.1.1), the EU did not go beyond expressing 'extreme concerns' (European Commission, 2011b). Together with Ukrainian authorities, EU officials 'noted' the resolution of the European Parliament of 13 December 2012 (Council of the European Union, 2013b) on the prosecution of the opposition in Ukraine (European Parliament, 2012), and threatening the non-signing of the AA and the DCFTA (driven by imprisonment of Tymoshenko and Lutsenko as members of the opposition) yielded results in the face of Russia's growing pressure on Ukraine.

The promise of signing the AA was also maintained at the 2013 Eastern Partnership Summit held in November 2013. However, by that time Ukraine's progress in cooperation with the EU was reduced to energy cooperation (with Ukraine intending to become a regional hub for gas transit) and visa liberalisation (Council of the European Union, 2013a), and Ukrainian authorities decided to postpone the signing of the AA. The events that followed turned into the Maidan revolution and became a turning point in EU-Ukraine relations.

Similar to the EU's strategy during the Orange revolution the EU combined its efforts with the U.S., relying on the network of NGOs and soft power policies. Indeed, in line with its developmental approach the EU promoted negotiations between the opposition and Yanukovich which led to signing the Agreement on settlement of political crisis in Ukraine on February 21, 2014 (witnessed on behalf of the EU by the foreign ministers of France, Germany and Poland). However, the Agreement did not take off, as Euromaidan grew into the Revolution of Dignity, leading to a regime change. As such, the EU once again seconded the U.S.' more stringent position (Breaking:...Urmars Paet and Catherine Ashton discuss Ukraine over the phone, 2014; BBC, 2014) by recognising the legitimacy of the newly established regime, because Ukraine's revolution could de-entrap EU policies in the country.

5.2.3. Assisting Ukraine in the aftermath of the Maidan revolution

After the victory of the Maidan revolution (described in Chapter 4), the belief in Ukraine's onward transformations and the demand for reforms was strong; yet the country had also to deal with its economic downturn. In the face of these challenges, the EU prioritised macroeconomic stabilisation while stressing the need for Ukraine's struggle against corruption and promotion of fiscal transparency (Council of the European Union, 2014: 13). The contents and implementation of these reforms are analysed in greater detail in the following sub-sections.

5.2.3.1. The content of EU democracy promotion and market initiatives in post-Maidan Ukraine

Similar to the situation in the early 1990s, when the EU prioritised urgent issues (including humanitarian aid) in its assistance to Ukraine, in 2014 the Union started supporting Ukraine's macro-economic stabilisation. The EU established a package of financial aid that was to exceed €11 billion. The Commission's direct support comprised development (€1.5 billion) and macro-financial assistance (€1.6 billion), while the majority of funds were targeted for cooperation with European financial institutions (European Commission, 2014b: 9).

Nevertheless, the aid was distributed for the period 2014-2020 and was established for stabilisation purposes rather than for structural transformations. Therefore, the package was not pre-designed to solve the crisis and was poorly defined in terms of incorporated reforms (European Court of Auditors, 2016: 16, 28).

Similarly, although the Maidan revolution began as a move towards closer political and economic association with the EU, the adoption of the desired AA and the DCFTA became a cause for more criticism.

The political provisions of the AA (political dialogue and association) were signed on 21 March 2014 and followed by the ratification of the economic part on 27 June 2014. Economic provisions ('Justice, Freedom and Security', 'Economic and Sector Cooperation', 'Financial Cooperation, with Anti-fraud Provisions', and 'Institutional, General and Final Provisions') were partially applied from 1 November 2014, but 'Trade and Trade-related Matters' only came

into force on 1 January 2016 (under pressure from Russia that feared of an influx of cheap European goods through Ukraine in Russian market) (European Commission, 2014e; European Commission, 2015d; CEPS, 2014; Deutsche Welle, 2014).

The key aims of the political and economic provisions of the Agreement were elaborated on calling for the 'gradual rapprochement between the Parties based on common [EU] values', political dialogue, regional and international stability, Ukraine's 'gradual integration in the EU Internal Market', 'cooperation in the field of Justice, Freedom and Security' and 'other areas of mutual interest' (Article 1 of the AA: 6). In this way, the AA set the pace for Ukraine's convergence with European political and economic institutions, including compliance with EU interests by 'taking into account the Common Foreign and Security Policy (CFSP) of the European Union, including the Common Security and Defence Policy (CSDP)' (page 5 of the AA) (CEPS, 2014).

Importantly, there was no rigorous debate on the advantages of the upcoming agreement for Ukraine before the last-minute decision of Yanukovich to withdraw from negotiations. Even afterwards, this decision was explained by a potential loss of Russian market and social hardships of the associated reforms (Kotsyna, Artazei, Golotyuk, & Galukh, 2013) rather than by any visible flaws with regard to the strengthening of Ukraine's democratic institutions. The capacity of the AA to lead to reforms in general was not questioned; the debates concentrated mainly on trade and financial preferences, while the AA was declared the path for Ukraine to become more democratic and prosperous.

However, a careful analysis of the document, which was generally neglected during the negotiation phase and even after the Agreement has been signed, demonstrates that the AA concentrates primarily on formal democratisation, trade issues and security. For example, although cooperation in such spheres as rule of law (Article 14), anti-corruption (Article 22) and judicial cooperation (Article 24) are listed in the Agreement, the rest of priorities in Title I refer mainly to security (Articles 8-13), migration, labour regulation, border management and combatting crime (Articles 16-21, 23 of the AA).

Moreover, the only promise of the Agreement that may lead to the establishment of more efficient institutions in Ukraine refers to Ukraine's

commitment to gradually approximate its 'legislation with that of the Union' (5) in specific sectors such as energy (Articles 337-342), macro-economic cooperation (Articles 343-345), public finances (Articles 346-348) and so on. Therefore, EU-Ukraine cooperation should be reflected in the adoption of *acquis communautaire* by Ukraine (Articles 337-452).

However, trade and trade-related matters remain a top priority of the Agreement, because any specific principles and obligations under Title IV ('Trade and trade-related matters') are not to be 'prejudiced' by other provisions of the AA (Article 474). Eighteen out of twenty one rounds of negotiations on the AA between 2007 and 2012 were devoted to the DCFTA, while the trade agreement comprises three quarters of the AA in its final version.

As a result, whereas the AA was portrayed as a panacea to Ukraine's ills during the Maidan revolution, its ability to be one was less certain. It also remains to be seen whether formal democratisation such as the adoption of EU legislation can result in substantive democracy, largely because adopted legislation has yet to be implemented. Nevertheless, some progress in the EU's approach towards Ukraine's democratisation is visible.

During the initial period after the Maidan revolution the EU dealt mainly with urgent issues such as macro-economic stabilisation ('EU Support to Ukraine to Re-launch the Economy') or preparation for the implementation of the AA ('State building contract for Ukraine' and 'Technical Cooperation Facility' listed in Table 5.8). Only subsequently the EU began to push for accountable and transparent governance (European Commission, 2016e; Table 5.8).

The EU's ability to promote institutional changes should be reflected in the implementation of institution-building aspects of the *acquis* (Chapter 2: 37) and most importantly in reforms targeting the judiciary, the constitution and corruption. The urgency of this made the EU push for these reforms in 2016 (Table 5.8) and some progress has been achieved in these areas.

Table 5.8 Priorities in EU-Ukraine cooperation for the period 2014-2016

Document	Initiatives included	Specific objectives	EU contribution (mln euro)
Special measure 2014	State building contract for Ukraine	Direct financial support to Ukraine aimed for ‘the fight against corruption, public administration reform and constitutional and electoral law reform’ through direct budget support (European Commission, 2014a: 3). Addressing ‘short-term economic problems and preparing for in-depth reform in the context of political association and economic integration with the EU on the basis of the AA/DCFTA’ (European Commission, 2014a, Annex1: 8)	232
	Ukraine civil society support programme	Support to civil society through grants and service contracts (European Commission, 2014a: 3). Strengthening the capacity of civil organisations to participate in political dialogue and fostering institutional and social dimensions of the development of civil society (European Commission, 2014a, Annex 2: 21)	10.8
Special measure 2015	‘EU Support to Ukraine to Re-launch the Economy’ (EU SURE)	Strengthening the capacity of Ukrainian authorities to develop and implement effective policy towards small and medium enterprises (SME), developing SMEs sector (European Commission, 2015b, Annex 1: 15), through ‘service contracts and in the form of reimbursement of up to 50% of the participation in EU programme fee’ and in the form of indirect management from the EBRD (European Commission, 2015b: 2)	55
	Technical Cooperation Facility (CF)	Raising government’s capacity to implement AA and DCFTA-driven reforms, including in governance, economic governance, trade (statistics, technical barriers to trade and financial services), energy, transport and social reforms (European Commission, 2015b, Annex 2: 10) through EU grants, service/supply contracts and under indirect management of the World Bank (European Commission,	15

		2015b: 3)	
	U-LEAD: Ukraine Local Empowerment, Accountability and Development Programme	The establishment of accountable and transparent multi-level governance under direct management through service contracts and under indirect management with European development agencies (European Commission, 2015a: 2)	90
Special measure 2016	EU Anti-Corruption Initiative in Ukraine	Strengthening state institutions, enhancing parliamentary oversight, strengthening the role of media and civil society in anti-corruption initiatives ‘under direct management through service contracts and under indirect management with the Ministry of Foreign Affairs of Denmark’ (European Commission, 2016b: 2; Annex 1: 14)	15
	Technical Cooperation Facility 2016	Implementation of the AA and DCFTA, prioritising the media freedom, economic governance (financial services), transport and social reforms under direct management through grants, service contracts and under indirect management’ of international organisations (European Commission, 2016b: 3; Annex 2: 13)	28.5
	Support to Comprehensive Reform of Public Administration in Ukraine	Improving ‘professionalism, accountability, effectiveness and efficiency of the Ukrainian public administration’ (European Commission, 2016c, Annex 1: 20) through direct budget ‘support, service contracts, twinning and under indirect management with the World Bank’ (European Commission, 2016c: 2)	104
	Support to Rule of Law Reforms in Ukraine (PRAVO)	Technical expertise to support the reform of the justice sector and law enforcement ‘under direct management through service contracts’ and under indirect management with European agencies (European Commission, 2016d: 2)	52.5

Source(s): European Commission, ENPI Annual programmes

As it has been mentioned in Chapter 4 (Section 4.2.5), several anti-corruption bodies have been established in Ukraine to investigate and prosecute corruption: the National Anti-Corruption Bureau of Ukraine (NABU), the Specialised Anti-Corruption Prosecutor's Office and the National Agency for Prevention of Corruption that is to specifically monitor political corruption. A new Public Procurement law entered into force on 19 February 2016; an e-procurement system (ProZorro) was set up; and a civil service law entered into force in May 2016 (European Commission, 2016a: 4, 6, 10).

Amendments to the Constitution also took place. The law on cooperation of territorial communities in June 2014 launched Ukraine's decentralisation, while amendments to the Tax Code in 2015 stimulated financial decentralisation. The establishment of the Supreme Council of Justice, the mandatory re-certification of all judges as well as abolition of immunity for judges signified the main changes envisaged by the reform of judiciary (ICTV, 2017).

However, as Chapter 4 demonstrated, Ukraine's overall progress in reforms remains half-hearted, and the pace of reforms has slowed. In the beginning of its adaptation to EU norms (2014-2015), Ukraine could not fulfill all legal obligations, but it launched a number of legal projects and progressed in approximating its legislation to EU norms in selected areas (mainly energy and public procurement). However, whereas between July-November 2016 Ukraine implemented 8 out of 44 obligations envisaged for this five-month period, from December 2016-October 2017, Ukraine only managed to fulfill 10 out of 86 envisaged obligations in ten months (Kovtun & Chernetska, 2017: 8-9; Naumenko, Stepanenko, & Zavoritnia, 2016; Stepanenko & Dobrynska, 2016: 6).

Moreover, Ukraine's 'preelection political maneuvering' impacts the reform process by slowing the overall progress. Ukraine's politicians tend to promote only those changes that allow political reshuffling (judiciary, decentralisation) and thus the elimination of political competitors on the eve of the 2019 presidential elections (Carnegie Endowment for International Peace, 2017). In contrast, Ukrainian experts recognise reforms of judiciary, law enforcement agencies, civil service as well as tax and anti-corruption reform as those that have generally failed (DIF, 2017).

Electoral legislation has yet to be 'harmonised and consolidated'; the rules adopted for the distribution of funds to the regions were not followed and thus

prevented the realisation of fiscal decentralisation (European Commission, 2017a: 4). Similarly, the electronic asset declaration system can become a great step towards transparency of civil servants; yet, by mid-October 2017 only 61 out of 1.2 million e-declarations were verified (European Commission, 2017a: 6), and no consequence has been cited for submitting false information or faking these reports.

Nonetheless, Ukraine's sound progress in reforms has been declared on paper and in reports, including those of the EU:

'In 2015-16, Ukraine has undertaken in-depth structural reforms in some key sectors' particularly "improved governance, the fight against corruption, judiciary reform and public administration reform, including reform of civil service and service in local self-government bodies' (European Commission, 2016a: 14),

de facto implementation of reforms is often reflected in the imitation of progress.

For example, although the elections of judges to the Supreme Council of Justice took place, their professionalism and independence remains questioned and will require further investigation (European Commission, 2017a: 7). Similarly, civil service reform focused on 'the transparent and merit-based recruitment of officials (based on Reform Staff Positions)' (European Commission, 2017a: 4), yet around 90% of former policemen have successfully passed widely publicized re-attestation (Shramovych, 2017), while the replacement of staff in prosecution offices resulted in the rotation of staff among the regions. Consequently, no introduction of new personnel and thus no real rotation occurred. Moreover, job competition for civil service was also accompanied with non-transparent practices: 38% of applicants consider that some applicants made preliminary agreement with the recruitment commission, 20.4% claim that corruption disrupted the process (Hranit, 2017).

As was described in Section 4.2.5, anti-corruption institutions were also quickly subjugated to Ukrainian politicians and oligarchs (European Court of Auditors, 2016) and turned into their battlefield: the General Public Prosecutor's Office represents interests of President Poroshenko and NABU is controlled by parliamentary coalition (officially the organisation is subjugated to the Cabinet of Ministers) (Iwański & Piotr, 2017; Makarenko, 2017). Against this background, establishing the Anti-Corruption Court in June 2018 has been so far the main achievement in combating corruption, because the candidates occupying positions

in the Court will be subjected to evaluation of the council that includes international experts (BBC, 2018).

Yet in light of the struggle between the Prosecution Office and NABU it remains to be seen how effective the work of the newly established Anti-Corruption Court will be. Meanwhile, prosecution of corruption remains slow, because some of the first investigations were launched against public figures (European Commission, 2017a: 6) associated with the former regime (Dobkin and former officials from the times of Yanukovych presidency) (Lefter, 2017) whose prosecution brings no implications for the balance of power in post-Maidan Ukraine. Meanwhile, conviction rates remain low (Council of Europe, 2017), and those public figures whose arrest was popularised as a great achievement of the Prosecution Office have been mainly released on bail (Raida, 2017).

In addition, bribing the prosecution office for ‘non-prosecuting’ allows to keep the ‘case’ from reaching the court (Aslund, 2016), while enabling state representatives (or those aware of this information) with a tool for blackmailing. Another negative trend in this regard is that Ukraine’s prosecution office has gained access to personal information of journalists who investigate the cases of corruption (Drik, 2018). Together with Ukraine’s worsening indicators of freedom in media and ‘state-sanctioned violence’ (Jarábik & de Waal, 2018) this suggests growing authoritarianism as part of the cyclic nature of Ukraine’s hybrid regime.

Therefore, the EU’s impact on Ukraine’s domestic transformations remains limited to the choices of local decision-makers, because most current initiatives are built around formal institutionalisation (pro-Zorro, e-declarations, the Anti-Corruption Court). In this context, changing Ukraine’s ‘ways of doing things’ remains the main problem for EU democracy promotion.

Meanwhile, the Ukrainian government continues to be inefficient in distributing donor assistance (European Court of Auditors, 2016: 17; Figure 5.3) and, more importantly, in making this process transparent. The Ukrainian parliament had revoked the draft of the law on technical assistance in February 2014 during political turmoil, and the process has not been re-launched since then (European Court of Auditors, 2016: 14).

In the absence of clear regulations, foreign assistance is very often just ‘sacked into sand’ or ‘carved’ (interview11). Donor projects become *stuck* or remain under-implemented. Although Ukrainian officials are interested in bringing more

money to the country, they often neglect planning and risk evaluation, which results in wasting of borrowed funds instead of their investment, while Ukraine still has to pay its debts back (Shkarpova & Ostapchuk, 2016).

Meanwhile, EU efforts in intensifying its work on monitoring the implementation of reforms is limited to the initiatives of Ukrainian government (such as setting up a web-portal that allows to track adoption and implementation of the AA) (Sydorenko, 2017) or annual reporting. Moreover, international donors, including the EU, provide no clear information on the efficacy of their assistance (European Commission, 2015c). For example, EU programmes of sector budget support reveal 'weak track record of reform policy implementation in Ukraine' (European Court of Auditors, 2016: 24), while EU aid is generally represented by 'classic technical assistance projects' (Ash et al., 2017: 5) which are standardised and not context-oriented.

As a result, not only 'monitoring in some areas' and 'greater emphasis on beneficiary accountability' (European Court of Auditors, 2016: 43) should be prioritised, external donors should also help Ukraine to process their aid by elaborating on the projects launched under their aegis, wherein Ukrainian and international (European) experts should work together.

The main positive development in the context of accountability is reflected in the provision of funds in small instalments upon the fulfilment of EU conditions such as adoption of specific regulations or laws in accordance with the 'more for more' principle (EEAS, 2014b) and the launch of the Open Aid Ukraine Project that in a testing regime allows to coordinate donor assistance in Ukraine (Ministry of Economic Development and Trade, 2018). However, as has been mentioned above, a more nuanced approach is needed.

Finally, whereas the degree of control from the EU is necessary for the success of any reforms in Ukraine, Ukrainian and European officials as well as the public have different perceptions of the extent to which the EU should intervene. These perceptions do not shape Ukraine's politics but may reveal expectations about Ukraine's future development.

5.2.3.2. *The EU's resumed rhetorical entrapment*

As previous sections have demonstrated, one of the main problems that prevents the EU from promoting reforms in Ukraine is the lack of political will within Ukraine. However, the EU is also constrained by a number of other conditions.

Although both European and Ukrainian elites agree that the EU may offer its vision of Ukraine's development, the EU cannot order specific actions to achieve this (interview11) because the degree of EU assistance is limited to the ability of Ukrainians to solve their problems on their own (interview9-2). 'The EU cannot change the mentality of Ukrainian society' (interview7) or its political culture (interview14) (K. Wolczuk, 2000), and although it is attempting to change existing traditions and practices (interview7), Ukraine still needs to mature towards certain EU norms (interview4). The country requires substantial social changes that will allow it to live up to these norms and realise Ukraine's European aspirations (Dragneva-Lewers & Wolczuk, 2015: 128).

What remains important in this context is that Ukrainian civil society elites perceive that the EU's pressure on Ukrainian officials is essential for the success of Ukraine's transformation (interview12). For example, the establishment of the above-mentioned Anti-Corruption Court has become possible primarily due to pressure of the IMF and public call by the U.S. State Department (BBC, 2018). The EU could suggestively exercise similar pressure, because 'if not for the war and the economic collapse, which forced Kyiv to seek external financial assistance and political support, the modernisation of the state would have proceeded even more slowly and with yet greater difficulty' (Olszański, 2016: 1).

In stark contrast, the EU is reluctant to exert more pressure so as not to appear a dictating or a dominant power (c3EU10). As a result, Ukrainian politicians frame the EU's impact on Ukraine's democratisation similarly to the situation that occurred in other former communist states that proceeded with the accession (Chapter 2). The EU respects Ukraine's sovereignty and endows Ukrainian elites with responsibility for the country's domestic transformations. In this regard, the country follows the pace of East Central European states that began their accession with EU conditionality and under the aegis of EU financial and technical assistance even in the absence of membership guarantees at the beginning of their transitions (Schimmelfennig, 2001).

However, the problem of real democratisation remains open with regard to both the contents of EU-promoted reforms and their ability to produce the change as well as regarding the implementation of these reforms in Ukraine, because the EU's capacity to promote democracy in Ukraine remains limited due to both Ukraine's domestic barriers and the external challenges that the parties face in their relations.

With regard to the first, EU initiatives need to address both Ukrainian civil society and officials, whereas motivating the latter remains a key problem. While Ukrainian politicians appeared to have consolidated around the idea of European integration following the Maidan revolution, this change occurred primarily in the field of rhetoric (interview3) and resulted in 'euro-imitation' in practical terms (interview11).

After the victory of the Maidan revolution, the Ukrainian Parliament declared membership of the EU the only alternative for Ukraine, claiming that, 'Ukraine as a European state sharing the common values of democracy and the rule of law emphasises its sovereign choice in favour of future membership in the European Union in accordance with Article 49 of the Treaty on European Union' (Supreme Council of Ukraine, 2014a). However, as Sections 4.2.5 and 5.2.3.1 revealed, while the initial year after the Maidan revolution resulted in the adoption of a several initiatives, since then the pace of reforms slowed down.

The resulting 'euro-imitation' is based on the implementation of EU-backed reforms in a manner that no actual changes occur (interview11; Chubyk, 2015; Section 5.2.3.1), while feigning some progress should entitle elites with receiving more financial aid 'for [the sake of] reforms' (interview12,13; (Valevskyi, 2017)). The risk of reforms imitation remains for the remaining EaP states (Grigoryan, 2016), and a similar perception is shared by EU officials who claim that their Ukrainian colleagues view the EU as a 'money bag' (c3EU2) while the EU cannot find alternative ways to provide Ukraine with assistance aside from its corrupt politicians (c3EU3). As a result, the narrative of 'the door neither closes nor opens' penetrates EU-Ukraine relations, while the door 'from being three quarters open is now one quarter open' due to a general slow-down in reforms (c3EU5). This perceptions gap between EU and Ukrainian elites further points to the importance of managing expectations in Ukraine-EU relations.

Meanwhile, 'euro-imitation' is also present in portraying Ukrainian development as tied to the EU and which ultimately includes membership of the EU (Sakwa, 2016, 2017), allowing Ukrainian politicians to gain some 'cheap popularity' (interview11) and legitimacy in the eyes of broader public. The narrative of 'Europe' was actively promoted by oligarch-owned media and then exploited by Ukrainian political elites (Orlova, 2017) during the Maidan revolution and afterwards, described as euro-populism. This narrative has become official with the adoption of the Strategy for Communication in the field of European integration for 2018-2021 years, aimed at the establishment of 'the assertion of the conscious support of Ukraine's membership in the EU' in Ukrainian society (Supreme Council of Ukraine, 2017).

However, at times euro-imitation may result in tangible outcomes, but this becomes possible only when EU pressure corresponds with the rhetorical entrapment of Ukrainian officials. For example, visa liberalisation pushed for the 'adoption of legislation on preventing and fighting corruption and the establishment of a single and independent anti-corruption agency' (Cabinet of Ministers of Ukraine: 8) which would not have taken place otherwise (interview3). Conclusively, some of the instruments of EU pressure should reflect an absence of any room for manoeuvring by current Ukrainian elites in light of their obligations (interview3).

In a similar manner, Ukraine's dependence on external financing may allow the EU to promote stronger conditionality, because financial leverage by the IMF and the EU is the strongest by far in post-Maidan Ukraine (Jarábik & de Waal, 2018). The gap between EU commitments and actual financing (Figure 5.3) points to that the failure to meet EU criteria deprives Ukraine of a next tranche of macro-financial assistance from the EU. Therefore, the 'more for more' principle remains the best example of positive conditionality in Ukraine so far (interview1); the 'financial whip' forces Ukrainian elites to implement at least some reforms (interview12).

Similarly, the EU combines its efforts with the IFOs in attempt to promote reforms in Ukraine. The establishment of the Anti-Corruption Court in Ukraine is one of such examples (Interfax, 2018), and both the EU and IMF combine their efforts in promoting privatisation (particularly land privatisation) as well as

liberalisation of energy prices and liberalisation in the banking sector as conditions for their financial assistance.

Yet excessive pressure from the EU may have negative consequences. For example, liberalisation of energy prices has become a heavy burden for average Ukrainians, despite the fact that the energy sector in Ukraine has not visibly progressed in its modernisation (Section 4.2.5). Similarly, privatisation of land remains a debated issue, because in Ukraine land is traditionally viewed as a national treasure that belongs to people and cannot be sold.

Moreover, some EU actions that aim for the adoption of *acquis communautaire* result in democratisation on paper but disregard the Ukrainian context. For example, one of the criteria that Ukraine had to fulfil in order to obtain a 600-million euro tranche of assistance in 2017 was the abolition of the ban on exports of round timber (and wood in general), notwithstanding the deteriorating situation with illegal exports of Carpathian woods to European countries. As EU officials explain, the moratorium on exports has not prevented mass deforestation and wood smuggling (EEAS, 2016a). Moreover, Ukraine has not yet adopted a wood audit system; work in this area has only just begun. However, the offered alternative to ban ‘all logging’ instead of banning exports (European Commission, 2016a) may not work as well. Whereas a moratorium on round-wood exports limited deforestation to a degree by making all wood exports illegal, the ban on logging will likely fail, because all the reforms that have aimed for the implementation and enforcement of law in Ukraine have failed.

Such cases as the round timber example demonstrate that EU policy choices in problematic situations are made in a manner to ‘save face’ (c3Ukr24), yet the EU often appears unaware of Ukraine’s specific context and the consequences that the adopted formalities may have for Ukraine’s economy or environment. Therefore, ‘tailoring’ the EU’s policies to ‘the concerns of the wider public’ (Jarábik & de Waal, 2018) should be done not only in order to project the image of a friend but also in a manner that reveals genuine goodwill on part of the EU towards Ukraine’s long-term prosperity.

Yet considering Ukraine’s public interests may remain a problem for the EU in light of the geopolitical concerns and the dynamic of its relations with Russia. The Russian presence pushes the EU to support Ukraine’s ‘declarative democrats’ even in the absence of solid reforms and for the sake of not having an even more

populist or, worse, pro-Russian regime established in the country (Ash et al., 2017: 6). Therefore, EU policies in Ukraine are driven mainly by competition with Russia (N. R. Smith, 2015).

Due to Russia's presence, the EU cannot stop supporting Ukraine financially despite the lack of reforms in the country because losing Ukraine is not in the EU's interests (Ash et al., 2017: 6; interview13). The EU similarly cannot quit and acknowledge that years and millions of euros of support have vanished with no progress to show in Ukraine (Kubicek, 2005). Therefore, the EU's normative entrapment results in a situation wherein both Ukraine and the EU are interested in making it appear that problems do not exist and that the existing framework of cooperation works (interview11). Both actors are immersed in a sort of euro-imitation, with Ukrainian officials attempting to make it appear that they implement reforms and EU officials doing the same to show that Ukraine has achieved some progress.

Indeed, some progress has been achieved but it does not include comprehensive institutional changes. Whereas the weakness of Ukraine's state institutions was a key reason behind its failed reforms in the beginning of its transition (Section 4.1), the construction of these institutions under control of the EU could be both an advantage and a disadvantage to Ukraine. The EU's impact may benefit Ukraine's transformations if EU declared goals match its actual policies but may deteriorate if geopolitics prevails over EU normativity.

For example, although the EU may potentially do more for Ukraine, it does not push for stronger democratisation with the same persistence that was reflected in its security (particularly due to the conflict with Russia) and trade (DCFTA) initiatives. Irrespective of the colours of Ukrainians government, EU cooperation with them was stable and reflects a gradual pursuit of EU strategic goals (in security, energy and trade) whereas only Ukraine's domestic de-entrapment allows the implementation of the EU's normative agenda in the country. In the absence of domestic demand for democratisation, the EU continues to cooperate with Ukrainian (including authoritarian) officials because its bargaining power still allows the EU to achieve *calculus* aims in Ukraine. Therefore, the EU engages in Ukraine actively only if this involvement is in the EU's vital interests (interview1).

In turn, the EU's rhetorical entrapment with regard to the prospect of Ukraine's membership in the Union may be explained both by civilisational

(Ukraine is part of Slavic but not European civilisation) and rational considerations (the EU has immersed in a set of domestic crises, while Ukraine's accession delivers too many liabilities on the EU's part). Even in 2013, a 'certain conventional Berlin wall between Ukraine and the EU ... matched with [the EU's] eastern borders', and Ukraine remained in a 'grey zone' (interview6). Although the country 'escaped' from the post-Soviet political space in the aftermath of the Maidan revolution, it has not yet paved a clear way to the EU (interview3), while the EU used 'grey zones' to 'control the problems that stem from neighbouring areas without having to grant them full membership and European identity' (Haukkala, 2008a: 48).

Meanwhile, the EU does not seem to be changing its strategy with regard to Ukraine in the near future. This was confirmed by the 2016 EU Global Strategy where the EU encourages the 'resilience' of its neighbours through 'a credible enlargement policy'; yet, the promise of this enlargement spreads only to the Western Balkans and Turkey whereas the rest of neighbours (including Ukraine) remain part of the ENP framework (EEAS, 2016c: 23-5).

Although the document supports the EU's course for global norms promotion, the EU addresses its own citizens (Mälksoo, 2016) and reflects on its own nature than communicating to the outside world. The strategy also demonstrates that the EU has not yet formulated mechanisms for engagement and dealing with global rising powers such as Russia (Howorth, 2016), which is also important for Ukraine.

With regard to other issues such as Ukraine's market liberalisation, the EU's unawareness or possible ignorance of Ukraine's context was revealed. By abolishing all customs duties on exports and imports as well as subsidies for agriculture and exports (Article 32 of the AA), the AA undermined competitiveness of such vital branches of Ukraine's exports as agriculture and metallurgy. However, this would have nevertheless corresponded with the paradigm of market liberalisation if the EU had eliminated its own subsidies as well. In contrast, only direct payments for agriculture amount to an average of €41 billion per year (€293 billion for period 2014-2020), excluding payments for market measures and rural development (European Commission, 2017b: 2). Similar asymmetry is observed in a better protection of EU agriculture in the AA and DCFTA with limitations that made no significant improvement for Ukraine: EU 'markets that were open have remained open, while those that were closed, remain closed' (Reuters, 2016).

The structure of Ukraine's trade with the EU is also becoming more asymmetrical: Ukraine exports raw materials (food, coal) and semi-manufactured products (steel) while importing finished and technologically complex goods from the EU (equipment and pharmaceutical products). Ukraine's much-needed modernisation and diversification is not taking place, and the country is slowly emerging as supplier of raw materials being unable to comply with EU standards in other sectors. In the aftermath of the on-going crisis, the drop in inward investment was also most significant from the EU (Figure 5.1).

As a result, EU assistance in Ukraine's transformations may be described as very limited and superficial. It does not tackle Ukraine's severe problems because an external actor cannot solve these; indeed, in an attempt to solve some of Ukraine's ills the EU may even amplify them. As such the need to consider the interests of third parties is necessary for the EU if it is to avoid rhetorical entrapment and to achieve democratisation results in Ukraine.

5.2.3.3. EU perceptions in Ukraine and the importance of socialisation

As Sections 5.2.1, 5.2.2 and especially 5.2.3.2 have demonstrated, a degree of misunderstanding and misperception persists in relations between EU and Ukrainian officials. Whenever EU policies are viewed as ambiguous and vague in Ukraine, Ukraine's perspective may be crucial for understanding which initiatives are expected from the EU and which are viewed as vital for Ukraine. This is especially true in those areas of cooperation, where the EU's progress in promoting reforms is limited or may be limited.

Problems of Ukraine's post-communist transition, such as oligarchisation, modernisation, corruption and nation-building (interview1,2,15) demand EU assistance the most. While a need for reforms is a necessary precondition to avoid rollbacks similar to what recently occurred in Greece (economically), or Bulgaria (in terms of anti-corruption struggle) (interview3), Ukraine's transition needs to be implemented as a step-by-step process (interview4). Ukrainian civil society views the EU as an actor that can actually promote the institutional changes necessary for Ukraine and may bypass corrupt Ukrainian officials by supporting civil society through 'more broad Europeanisation at the level of behavioural, cultural and social norms' (interview3).

This argument stresses the importance of socialisation and good governance for the actual communication of EU norms abroad and falls in line with theoretical developments in Chapter 2. Having introduced its normativity through implementation of the AA (interview3), the EU serves as a role model for social cohesion and tolerance in Ukraine (interview14), which is crucial for Ukraine's nation-building (Section 4.3.2). On this background and considering the engagement of youth in both democratic revolutions in Ukraine (Sections 4.2.2 and 4.2.5), scientific (school and university) exchanges are vitally important for shaping a different worldview among Ukrainian youth (interview1) and educating new political elites (interview12).

On the other hand, Ukrainian civil organisations have to evolve as independent bodies, because Ukrainian third sector 'lives on grants' (interview2) and is still weak (interview14). Civil society has not yet become a 'systemic player' in policy-making or in communication with Ukrainian policy-makers (interview4).

As the biggest donor of developmental aid in Ukraine (interview3), the EU may finance specific projects in the third sector, which will have a more significant impact on Ukraine's domestic transformations than direct budget support redistributed by Ukrainian officials (interview3). Some progress has been achieved in this sector, particularly with regard to the establishment of the RPR and the EU-Ukraine civil society platform as well as the participation of the Ukrainian civil society delegation at the Eastern Partnership Civil Society Forum (European Commission, 2015c: 10) as well as introduction of service contracts and indirect management in EU policy programmes in Ukraine (Table 5.8).

However, given the context of power asymmetry between Ukraine and its neighbours, the country should push towards a more independent development (Section 4.2.5.2). While Russia exerted significant impact on Ukrainian political elites at the beginning of Ukraine's post-communism, following the Maidan revolution, the same asymmetry is observed with regard to the relations between Ukrainian elites and the West (the EU and the IMF) (interview2). In an absence of Ukrainian elites with 'state thinking' (as revealed in Section 4.1.2.2) and EU's inclination towards self-interest, this may not benefit Ukraine in the long run.

Although 'Europe appreciates Ukraine's efforts' (interview2) and perceives Ukraine as 'a figure on a "chessboard of Brzezinski"' to a lesser degree than Russia (interview1), 'Brussels views Kyiv as a source of problems' (interview9) and is

ready for concessions (such as ‘freezing’ the conflict in Eastern Ukraine) (interview11) if these advance to the EU’s overall good (Section 5.2.3.2). In this context, the EU is interested in its own security in the first turn, and whereas EU norms remain important in constraining EU interests, *calculus* logic dominates in foreign policy (N. R. Smith, 2014b).

Indeed, the EU is not responsible for Ukraine’s transformations, especially in the context of its ‘primitive’ and unpredictable environment (interview2,13). Due to Ukraine’s domestic constraints, association with the EU remains a better than nothing option, as ‘there are practically no instruments apart from external factor and [EU] roadmap that may allow to quickly and step-by-step reform the country domestically’ (interview3).

Similarly, the EU could have been a significantly more efficient actor in Ukraine if it supported more durable and long-term institutional projects such as local governance (U-LEAD) and especially through service contracts and under indirect management of the EU and international organisations (some of these initiatives were mainly launched in 2015 and 2016 as shown in Table 5.8).

While tight conditionality remains beyond the context of Ukraine-EU relations, stronger socialisation and education should become a priority. If the EU is to achieve any substantial democratisation, it should also place more emphasis on public dialogue with Ukraine. Furthermore, it should target the sustainability of offered reforms and improve the design of conditions and monitoring of financial assistance as well as its implementation (European Court of Auditors, 2016: 42-3).

In turn, Ukrainian civil society needs to find a way to protect Ukraine’s own national interests beginning with domestic changes and promote only those EU initiatives that benefit Ukraine in a long run (interview12). Only by reforming itself from within by becoming a democratic and prosperous state will Ukraine be able to reduce the impact of the geopolitical factor (interview11). However, in light of the discrepancies between elites and the general public, this process appears to be extremely prolonged.

Although Ukraine’s aspirations to become a democracy are viewed as a major driver of its relations with democracy promoters (IFES, 2015), the economic factor prevails in popular expectations (Jarábik & de Waal, 2018). Whereas Ukraine’s cultural-historical background is associated with Russia and Ukraine’s aspirations for liberal democracy with Europe (Figure 5.4), the majority of

Ukrainians associate membership in the EU with free movement of people (38.6%), better quality of life (36.8%) and free access to education in European universities (33.7%) (Razumkov Centre & DIF, 2015).

The European idea was to a degree ‘mythologised in the Ukrainian political discourse’ (a quote from (Center for Peace, 2001: 2) in Kubicek (2005: 281)). The ‘euro’ is added to everything believed to be of a better quality (‘euro-windows’, ‘euro-renovation’) (interview1; Hromadske, 2016), and Ukrainians combine material well-being and democratic values in the image of an ideal EU that is like ‘a dream for Ukraine’ (interview6). Thus the European idea ‘turned into a substitute of the late communist myth, with no firm connection with the reality’ (Center for Peace, 2001: 2), cited in Kubicek (2005: 281).

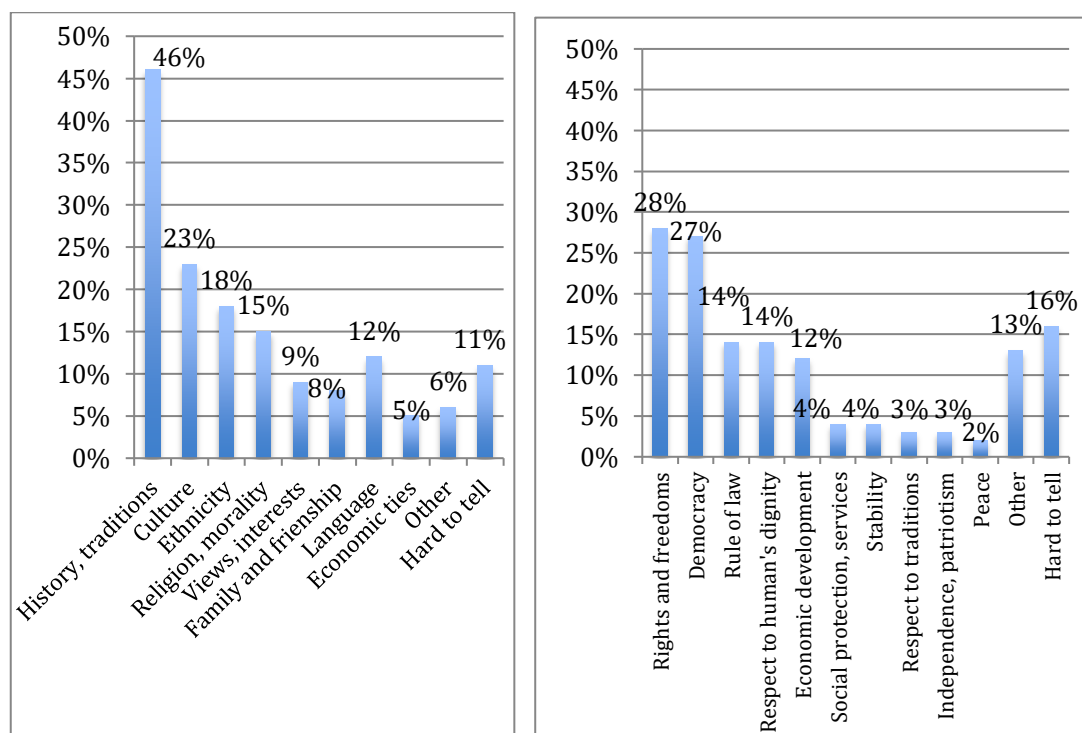


Figure 5.4 Values that Ukraine presumably shares with Russia (chart to the left) and the West (chart to the right), 2014

Source(s): retrieved from IFES (2014)

Importantly, this idealisation and perceptions of the majority of Ukrainians about the EU are not based on their personal experiences or actual knowledge about European integration. Many Ukrainians did not understand until 2013 that Ukraine could not be simultaneously part of the EU and Eurasian projects

(interview3). Supporters of Euromaidan did not initially differentiate between signing the Association Agreement and EU membership. Yatsenyuk's commercial on euro-association portrayed it as a step towards obtaining membership in the EU (Yatsenyuk, 2013), whereas the AA was delivered to Ukraine as a substitute for membership by EU officials (another reflection on euro-populism and imitation).

The number of those who have visited the U.S., Canada or EU Member-States constituted only 22.5% of the Ukrainian population in December 2012 (DIF & Razumkov Centre, 2012) and grew by a small amount to 26.2% in November 2015 (DIF & Razumkov Centre, 2015), pointing to a weak linkage and networking between Ukrainian and European general public. Moreover, whereas 23.2% of Ukrainians view visa-free travelling to Europe as a necessary condition to feel European (DIF & Razumkov Centre, 2015), only 25% of Ukrainians actually know their rights and obligations with regard to visa-free travelling to the Schengen zone (Shumeiko, 2017).

Freedom of movement, education, and migration are closely interlaced with perceptions of those Ukrainians who view the visa-free regime (granted to Ukraine in June 2017) and access to European education as an opportunity to live better. While 37,000 Ukrainian students were studying abroad during 2000-2012, their number bounced to 47,724 within the 2013-2014 academic year, and patterns for the choice of place of study were similar to those for labour migration (IOM, 2016: 15). In 2017, 12% of Ukrainians claimed they would consider going abroad for seasonal or part-time work (Institute of Sociology NAS & DIF, 2017: 8) and by July 2017 over five million people have already obtained biometric passports (a necessary condition to be eligible to use visa-free regime with the EU), which makes visa liberalisation by the EU appear in Ukraine as a potential new source of 'brain drain' (Pshenichnykh & Morozova, 2017).

Ukraine's internal differences regarding foreign policy preferences have also sharpened among various groups. Regional divisions with regard to support of membership in the EU remained intact even upon exclusion of Crimea and the Donbas war-zone from the polls (Figure 5.5). The same trend in regional differences applies to the importance of a visa-free regime with the EU or membership of NATO (Razumkov Centre, 2016c: 5), meaning that strongly EU-oriented citizens remained EU-oriented while strongly Russia-oriented Ukrainians remained Russia-oriented.

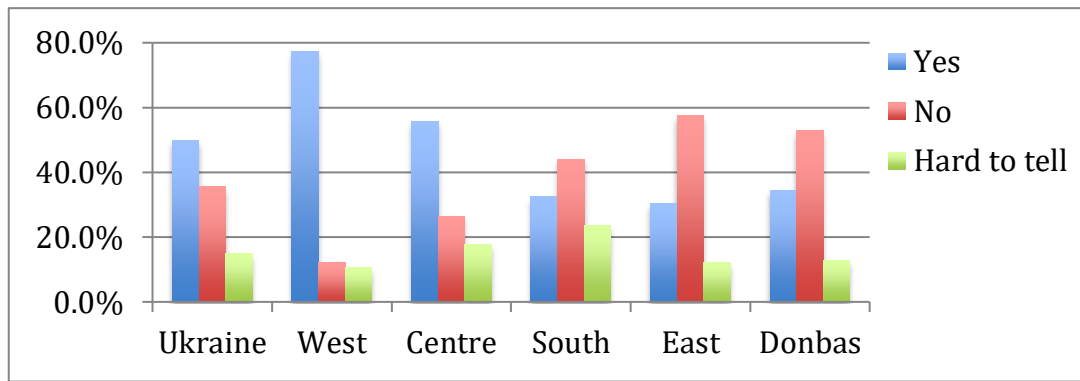


Figure 5.5 Regional distribution of support for membership in the EU

Source(s): Razumkov Centre (2016c, p. 4)

Note(s): Crimea and the ATO-zone of Donbas are not included in the poll.

On the other hand, Ukrainians in the *blurring* regions of the Centre and the South find the search for a clear stance somewhat more complicated than others (described as ‘society 60’ in Section 4.3.2), as only ‘Hard to tell’ responses illustrate (Figure 5.5). After the Maidan revolution, the greatest drop in support of the Eastern vector of integration occurred in Eastern Ukraine, and this was partially due to disillusionment with Russian policies and war (interview3; Figure 5.6). The same trend can be seen in a change in the priorities of Ukraine’s foreign policy towards the EU and the growing importance of the U.S. as a great power and ally in fighting against Russia (Pshenichnykh & Morozova, 2017).

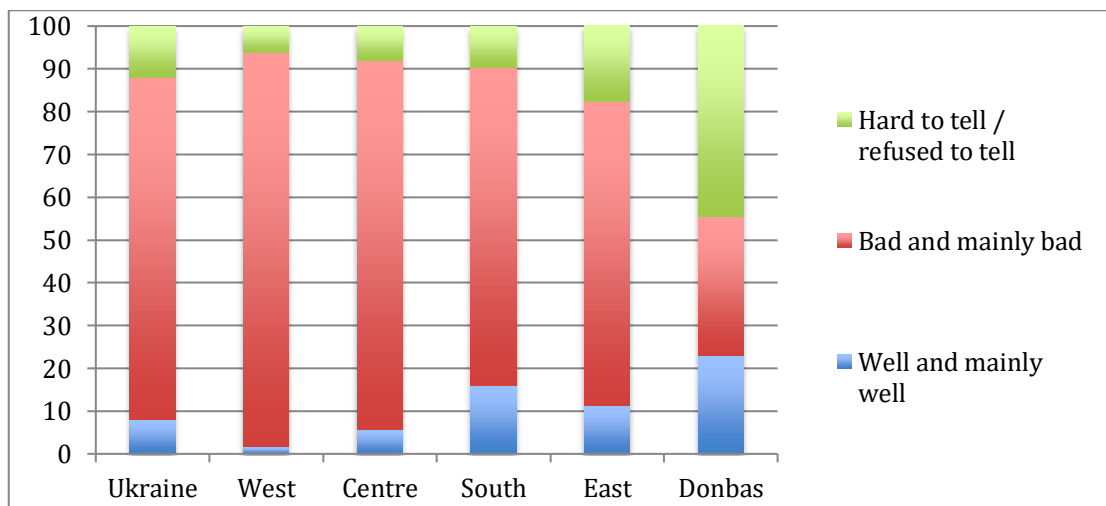


Figure 5.6 Ukraine’s public attitude towards Russian authorities, distribution by macro-regions, %, 2016

Source(s): KIIS, released by Paniotto (2016)

Note(s): Excluding Crimea and ATO territories of Donbas

The problem of idealisation of external political actors is an important issue in the context of shaping foreign policy preferences, their relation to identity issues and especially in the context of wide-spread populism and manipulation with public opinion in Ukraine.

And whereas the provisional success of the multi-vector foreign policy and promotion of Ukrainophone narrative in the official discourse (Section 4.3) partially advanced the portrayal of the EU as a better alternative to Russia, Ukraine's internal divisions aligned due to the diffusion of competitive yet fluid narratives, with the majority of Ukrainians supporting official discourse due to Ukraine's dominant political culture of mimicry. In this context, the EU's positive image in Ukraine may become either a source of a positive change (with regard to political culture) or a tool of euro-imitation only.

5.3. The Russian issue in Ukraine's foreign policy

As was described in Sections 4.3 and 5.2.3.3 of this thesis, Ukraine's identity and self-perception are related to its closest neighbours, whereas formal alignment with Western political and economic institutions and cultural association with Russia make these actors influential in Ukraine's domestic transformations. In addition, the Russian issue is crucial for the EU's geopolitical entrapment, affecting EU policy choices and normativity in Ukraine. This section briefly highlights the extent of Russia's influence on Ukraine's post-communist transformations.

Since the collapse of communism, Russia's impact in Ukraine pertained with regard to security, energy, and the identity issue (the latter was revealed in Section 4.3). Russia has also remained crucial for Ukraine's stability, being consistently vocal about Ukraine's 'westward orientation' viewed as a threat to Russia's own security (Schularick, 2005: 8). Russia considers Ukraine both as part of its historical-cultural space (East Slavic community), as a large borderland that may protect Russia from military invasion from the West and as economic (energy) bridge with the EU because most of Russian energy pipelines run through Ukrainian territory (Tsygankov, 2014).

At the beginning of transition, the peaceful dissolution of the USSR for Russia and Ukraine occurred primarily because there was no real disruption of economic ties between the former Soviet Republics and their elites (Schularick,

2005) and thus no threat to their security (D'Anieri, 2012). In addition, Russia was significantly weakened by domestic problems (constitutional crisis of 1993, two wars in Chechnya and finally, the financial crisis of 1998), which prevented it from exercising hegemony.

Given this background, Ukraine's achievements in sustaining its sovereignty in the 1990s could be explained by the weakness of Russia at that time. As former presidents of Ukraine (Kravchuk and Kuchma) emphasised, Ukraine managed to solve the 1990-91 and 1994-95 Crimean crises only 'thanks to Yeltsin who did not interfere and did not allow other Russians to interfere' (Sidorova, 2014).

Russia's weakness and course for alignment with Western institutions also made Ukraine's similar realignment with the EU and NATO free of geopolitical consequences due to moral, socio-economic and political collapse in the former Soviet Republic (R. Wolczuk, 2003). Furthermore, during the first decade of its transition Russia had no specific foreign policy strategy on Ukraine. Russian officials did not yet fully comprehend the fact that Ukraine had become an independent state, and also Russia had no sources of influence on the country apart from the cultural legacy and energy issue (Bukkvoll, 2001). These aspects (identity issue and economic factor) proved to be the main tools of Russia's impact in Ukraine later on.

Meanwhile, Ukrainian development during the 1990s was somewhat of an inertial Ukrainian SSR (interview6). Ukrainian people continued to be supportive of economic and political alliances with Russia (Section 4.3.1) and the rent-seeking policies of Ukrainian elites (particularly, gas arbitrage) while their Russian colleagues preserved a mechanism for mutual understanding. Later on, this mechanism allowed Russia to continue impacting Ukraine's domestic policy-making as did Ukraine's energy dependence on Russia.

Ukraine's industries relied (and continue to rely on) on huge amounts of cheap energy resources in order to maintain their profitability. Between 1991-2008 gas imported from Russia constituted approximately 80% of Ukraine's total gas consumption; this dropped after the outbreak of the global financial crisis. The trend towards the decrease in consumption stabilised only in 2011 and particularly after the Maidan revolution and the Ukrainian crisis (Figure 5.7). Therefore, this drop in consumption was primarily a consequence of the political and economic

crisis of 2014-15 rather than the result of a planned strategy for a decrease in gas consumption, which also took place.

In addition, the gas issue turned Russia-Ukraine relations into a series of mutual blackmailing. Throughout the 1990s Russia threatened Ukraine with disruption of gas supplies for non-payment as well as for unsanctioned withdrawal of transit gas or its dilution, while Ukraine threatened Russia with the disruption of transit to Europe. Gas relations evolved into a tool of political restraint, especially visible in the aftermath of Ukraine's democratic revolutions. Thus, after the victory of the Orange revolution, Russia's pressure on the allegedly pro-Western government partially resulted in the dismissal of Tymoshenko's first government and signified a series of gas crises (Section 4.2.3 of this thesis).

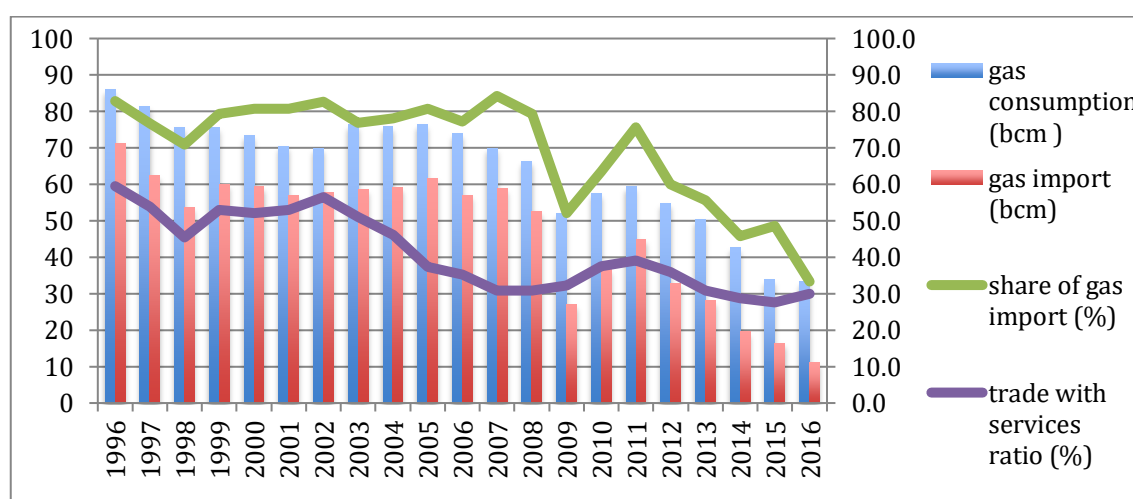


Figure 5.7 Ukraine's gas consumption, share of import in gas consumption as well as the ratio of positive trade balance to its volume for the 1996-2016 period

Source(s): Naftogaz of Ukraine; SSCU

Note(s): Data for 2010-2015 excluding data on Crimea

A more demanding foreign policy towards Ukraine on Russia's part was dictated by a change in its foreign policy strategy (already mentioned in Section 5.1.2 of this chapter), caused by Russia's domestic developments and geopolitical changes. At the beginning of the 2000s, Russia's economic growth and domestic political consolidation allowed it to promote more assertive foreign policy. Russia also signalled that it wanted to be treated as an equal partner in relations with the USA and the EU (Tsygankov, 2015), who were more actively engaging in post-Soviet space. As a result, Russian and European interests in the shared

neighbourhood as well as visions of this neighbourhood began to overlap (Section 5.1.2: 186).

Against the background of democratic revolutions that spilled across the region, Russia viewed the Orange revolution as an offensive against a range of its values (shared Slavic cultural legacy with Ukraine) as well as security (new Ukraine's officials declared a course for joining NATO), trade and energy interests (Tsygankov, 2015).

However, due to the fact that there was no clear foreign policy strategy developed for Ukraine in the previous period, Russia's instruments of influence were limited to economic tools, such as energy and trade (Russia remained Ukraine's key trading partner), which shaped the pace of cooperation with Ukrainian authorities. Accordingly, a set of 'gas wars' in the 2000s (Section 4.2.3) became a hallmark of tension in Russia-Ukraine relations.

The peak of the gas standoff took place from 6-20 January 2009, when the supplies to Europe were disrupted. Although the EU made attempts to mediate negotiations between the conflicting parties (European Commission, 2009c: 2), it was interested in the immediate resumption of gas supplies to its peoples and industries in the first place (Council of the European Union (2009b). As a result, Ukraine had to go for concessions and on January 18, 2009 to sign a contract between Gazprom and Naftogaz that bounded the country to consume an agreed amount of Russian gas annually throughout the 2009-2019 period under market price that was significantly higher than in previous agreements (Guardian, 2009). The same situation took place once again after the second (Maidan) revolution in Ukraine, when the issues related to pricing and payment resumed, and, by 2016, Ukraine stopped directly purchasing Russian gas, receiving reverse supplies from Slovakia. This time, the EU took a leading role in negotiating this solution.

Russia's responses to Ukraine's internal political changes reveal both the true degree of Russia's impact in Ukraine and tools as well as the limitations of such an impact, especially in the course of Ukraine's fluctuations between pro-Western and pro-Russian governments to which Russia had to adopt.

When the Orange revolution was 'reversed' with the election of allegedly pro-Russian Yanukovich, Russia-Ukraine relations appeared to become relatively stable, and Russia provided Ukraine with trade preferences and the cheaper gas prices as *carrots* for political loyalty. In the course of the Kharkiv Pact signed in

2010, the gas price for Ukraine was reduced by 30% in exchange for the lease of the military base in Crimea to Russia's Black Sea Fleet till 2042 (Harding, 2010). And whereas this act could be viewed as Ukraine's reorientation towards Russia, Russia's impact on Ukraine's elites remained relatively superficial (A. Smith, 2015).

This was manifested in Ukraine's refusal to join the Customs Union with Russia. The project was launched in the beginning of the 2000s when Russia promoted the idea of a single economic space between the former Soviet states (Dragneva & Wolczuk, 2012). However, this move pertained more to politics than economics (Moshes, 2013a) and could not provide Ukraine with the trade benefits it aspired for. Ukraine's trading relations with Russia were already settled, while enhanced trade with Belarus and Kazakhstan could not provide an equal substitute to Ukraine's growing trade with the EU (Moshes, 2013b). As a result, although with the election of Yanukovych Ukraine reversed its pro-NATO course in favour of resumed 'beyond block' status (Supreme Council of Ukraine, 2010), it similarly refused Russia's proposal to join the Customs Union with Russia, Belarus and Kazakhstan (Tsygankov, 2015).

Therefore, even the establishment of allegedly pro-Russian president did not lead to the subjugation of Ukraine's foreign policy to Russian interests. Although Russia backed Yanukovych during the 2010 presidential elections by making concessions on gas pricing, which positively affected his image (N. R. Smith, 2015), Russian agent-driven tactics did not succeed in promoting Russian interests at its best.

Rather it was Ukraine's economic and energy dependence on Russia, 'perpetuated by the rent-seeking strategies of oligarchic interests and the lack of comprehensive economic reform' (Dragneva-Lewers & Wolczuk, 2015: 8) that made Russia's impact in Ukraine possible. Yet whether these two factors were a purposefully delivered state policy on Russia's part or a form of interaction that evolved during the initial years of transition in both countries remains to be debated.

It is clear, however, that even against the background of Ukraine's energy dependence on Russia, Ukraine did not stimulate a significant increase in the production of its own gas primarily due to domestic reasons. The national stock company Naftogaz of Ukraine established in 1998 with an objective to clean the energy market from small private mediators turned into a monopoly that benefited

only those who controlled it. The company was overwhelmed with taxation and corruption, which undermined its capacity to invest in gas production. The rent-seeking practices also made both Russia and Ukraine unwilling to liberalise gas trade. Even political competition between Yushchenko and Tymoshenko as well as gas crisis of 2006 resulted from a struggle for control over the energy business (Proedrou, 2010: 451), while corruption in the gas sector continues until the present day (Section 4.2.5).

In addition, Ukraine did not manage to ensure alternative supplies in a broader geopolitical context. Ukraine's attempt to substitute the supply of Russian gas with Turkmen gas failed because Russia remained and remains a main transit country for Turkmen gas to Europe. Similarly, the success of the construction of alternative gas routes generally depends on the outcomes of the geopolitical counter-balancing between Russia, Iran, Turkey, and the EU, where Ukraine is a minor player.

Finally, whereas the transit of Russian gas through Ukraine represents the Achilles' heel for Russia's export-oriented gas sector, Ukraine's dependence on the transit routes is also strong. Even during the on-going conflict with Russia, gas transit remains the main source of income for Ukraine constituting 54.8% of Naftogaz income in 2016 despite the fact that the volumes of the transit of Russian gas decreased almost twofold between 1998 and 2016 (Naftogaz of Ukraine, 2016).

Ukraine's income from gas transit also constitutes the main share of its service exports and thus of trade balance. Ukraine made 22.5% or almost 3.4 bln USD of its income from pipeline transportation in its total exports of services in 2013 (SSCU, 1998-2017). Because this sector of services secured the transit of Russian gas and remained stably profitable, Ukraine's total balance on trade with services remained positive. However, the ratio of positive trade balance with services to its general volume has decreased by almost twofold with the decrease in transit (Figure 5.7). Thence, blackmailing the supplies of Russian gas for political reasons as well as the request for an increased tariff rate (part of the Stockholm arbitrage launched in 2014) are not efficient in the long run (Bros, 2016).

Moreover, every gas crisis between Ukraine and Russia has resulted in new attempts at route diversification by Russia. The total capacity of Russia-launched pipelines reached 103.9 bln cubic metres per annum, and if the planned construction of North stream 2 is completed by 2019, the total capacity will amount

to 158.9 billion cubic metres per annum (Gazprom, 2018) with the ability to cover Ukraine's total capacity of 146 billion cubic metres per annum (Naftogaz of Ukraine, 2016).

More importantly in the Europeanisation context, the European support for Ukraine's position on energy matters appears to be rather questionable, because all three actors (Russia, the EU and Ukraine) are engaged in complex geopolitical energy games in pursue of their own interests (Kropatcheva, 2011). Although Ukraine is in the process of closer integration with the EU in the energy sector, EU dependence (and particularly Germany's dependence) on Russia's gas supplies and prioritisation of own energy security remain high. When Russia-Ukraine disputes in 2005-2009 threatened the security of gas supplies to Europe, European officials blamed Ukraine in the stall (Proedrou, 2010: 447) and demanded to 'to resume gas deliveries to the EU immediately' (Council of the European Union, 2009b). When the Russian-Ukrainian conflict broke out in 2014 and the EU launched a set of anti-Russian sanctions, these did not stall the construction of the Russia-promoted North stream 2. Therefore, although the EU may remain an important motivator for Ukraine's domestic market transformations, it does not guarantee the protection of Ukraine's national interests on a regional scale.

Under these circumstances, Ukraine should not expect that external actors would resolve its energy problems. Along with diversification of gas supplies, Ukraine has to prioritise the development of its domestic energy market (liberalisation, stimulation of energy production as well as gas and hydrocarbon extraction) and more efficient consumption of energy in general (modernisation of industrial enterprises; reduction of consumption by population). Some measures with this respect have been taken; however, as Section 4.2.5 demonstrates, price liberalisation should be complemented by investments in Ukraine's gas sector. Meanwhile, lack of external investment remains the main problem of Ukraine's economy (Jarábik & de Waal, 2018).

The fact that energy cooperation remained one of the most productive areas in EU-Ukraine relations even under the Yanukovych administration (Table 5.7) attests to the argument that Ukraine's policy-makers pertained towards a more independent foreign policy irrespective of the colours of its governments. Moreover, during the Yanukovych presidency, the economic factor was the main determinant of Ukraine's policy choices, wherein Ukraine's prolonged negotiations with the EU

on the AA and DCFTA and on-going negotiations with Russia represented a key element of Ukraine's bargaining game (Dragneva-Lewers & Wolczuk, 2015: 83).

During the Yanukovych presidency, Ukraine de facto resumed a course for multi-vector foreign policy trying to negotiate between both Customs Union and DCFTA (D'Anieri, 2012) and Ukraine's efforts failed, primarily because its key neighbours did not manage a consensus: Russia did not want to open its markets to the EU, while the EU could not do the same to non-members of the WTO Belarus and Kazakhstan (Moshes, 2013a). Ukraine was compelled to make a choice which it was not ready to do: it was trapped between EU and Russian leverages, while choosing either was not in Ukraine's interests.

Moreover, as the EU-Ukraine convergence was progressing, Russia's responses became tougher as well. For example, even under the Kharkiv Pact, Ukraine continued to pay more for Russian gas than Germany or Italy which made both Ukrainian officials and people disillusioned with Russia's *kinship* (Moshes, 2013b) in the light of Russia's pragmatic policies.

Russia moved towards a zero-sum approach, wherein trade preferences and the cheaper gas prices were the *carrots* of its foreign policy and the *sticks* implied depriving Ukraine of these preferences (N. R. Smith, 2015: 10-1). Russian authorities lured the Yanukovych government with financial benefits; yet they similarly threatened Ukrainian government with potential losses. In April 2013, Putin claimed that Ukraine's gains from membership in the Customs Union could reach 9-10 bln USD per year (mainly from cheaper gas prices and tax-free exports of Russian oil), whereas signing the AA with the EU would result in trade barriers with Russia and tightened border control (UNIAN, 2013; Forbes, 2013). The same was repeated during the Maidan revolution when Russia granted Ukraine \$15 billion as non-concessional loan in order for Ukraine to reconsider its move towards the EU (Gorchinskaya & Marchak, 2013). However, when the tactics failed, Russia moved towards a zero-sum approach that sought hard economic and military measures.

After the victory of the Maidan revolution, Russia seized control over Crimea and incorporated it into Russian territory. On the day of the official incorporation, Putin declared that this move was partially caused by the deprivation of Russians of their historical memory, language and culture. He also outlined the need to protect Russian citizens and Russian-speakers (Washington Post, 2014).

This statement overlapped with the idea of compatriotism that could be viewed as another tool of Russia's impact on domestic policy-making in third countries.

Importantly, although Russian and Russian-speaking diasporas are viewed as a potential source for pro-Russian mobilisation and proved to be such in the flow of the Ukraine crisis, these communities remain diverse and fragmented. The situation also persists because Russian political elites have not conceptualised compatriotic moods in specific policies (Suslov, 2017) and have not 'channelled' these moods. This was specifically reflected in sporadic and unorganised character of mass mobilisation efforts in South-eastern Ukraine in spring 2014 known as the Russian Spring (Section 4.2.4).

Distinct movements appeared across the whole region, while the movement in Eastern Ukraine originated from both rational logic of Donbas workers to maintain close economic ties with Russia and nostalgia for the Soviet Union among part of local population (O'Loughlin, Toal, & Kolosov, 2017). Because language and religious identification were crucial in the polarisation of Ukraine's regional differences during the on-going conflict (Ivanov, 2016), sense of belonging to the 'Russian world' was also reinforced in Ukraine.

Importantly, the idea itself remains very vague and is limited to geopolitical and cultural space distinguished by shared Russian culture (Skvortsov, Vereshagina, & Samygin, 2016). The concept of the Russian world as well as of a Russian in general (in reference to the speech by Putin mentioned above) becomes even more vague in Ukraine's context, because historical, religious and cultural similarities shared by Russians and Ukrainians inevitably lead the debate on Russian compatriotism to the discussion on identity (addressed in more details in Section 4.3). Therefore, Russia's impact on public perceptions in Ukraine remains limited to Russia's ability to function as a role model for Russophone Ukrainians rather than to specific public policy. Being closely connected with identity narratives, the application of the Russian world in real politics remains an object of individual preferences and emotive responses (Section 4.3).

Furthermore, the sense of belonging to the Russian world may lead to positive perception of Russia's foreign policy in general, yet it has in fact a very limited impact and no clear mechanisms for its promotion. In December 2014, the share of people in Donbas who openly supported the creation of New Russia (Novorossia) did not exceed 20-25% (O'Loughlin et al., 2017), not to mention the

already emphasised absence of Russia's state policy towards compatriots. As a result, popular pro-Russian moods in Ukraine could be triggered, but their scale remained limited, while the lack of organisation prevented them from institutionalising into a tool of Russia's impact on Ukraine's domestic politics (Section 4.2.4).

Finally, Russia's coercive actions in Ukraine have also resulted in controversial outcomes: while reinforcing the sense of belonging to the Russian community among Russophone Ukrainians, Russia caused frustration and disappointment among other Ukrainians, which was reflected in an increase of their support to pro-Western course (Figure 5.6).

In this context, the attractiveness of the EU (64% of Ukrainians positively evaluated its actions in comparison to 12% of those who positively evaluate Russian actions) (IFES, 2015) has become a product of two simultaneous processes: the EU's long-term strategy in the country (that incorporated the promotion of EU norms and its positive image in Ukraine) and Russia's tough responses to Ukraine's domestic political developments, especially in the aftermath of the Maidan revolution and despite the fact that EU policies regarding Russia's actions are restrained and ambivalent (Howorth, 2017).

Ukraine once again has found itself at the crossroads between Russia and the West: Ukraine's future stability depends on its ability to strike a balance between the two. Meanwhile, the key limitation for this balancing act is that 'the EU does not care enough about Ukraine's pro-European choice' continuing to be a distant dream, while Russia remains 'in stark contrast, an immediate, short-term reality' (Dragneva-Lewers & K. Wolczuk, 2015: 128; Puglisi, 2008: 76).

5.4. Conclusions to Chapter 5

EU assistance to Ukraine's post-communist democratisation has largely depended on the extent to which Ukrainian elites have aspired to reforms. While the *momentum* for reforms was missed in the beginning of transition, the EU followed a developmental approach based on cooperation with Ukrainian officials to a degree that satisfied EU interests. Only when the EU and Ukraine began to share a common border, did their cooperation strengthen, resulting in tension between the EU and Russia.

The subsequent competition between the two actors led to the EU's rhetorical entrapment, which, in line with the premises of neoclassic realism, has undermined the EU's capacity to achieve the declared policy aims in Ukraine. Whereas EU conditionality is generally limited to the choices of Ukraine's policy-makers, EU-led socialisation has yet to produce cognitive change among broader Ukrainian public. As such EU linkage and leverage in Ukraine have strengthened but they have not become determinant for Ukraine's transformations. Furthermore, overt dependence on EU decisions by Ukraine may have negative consequences in the light of EU-Russia competition. As such the EU's normative power in Ukraine rests on the EU's democratic and economic attractiveness but remains a part of popular rhetoric rather than consolidation of EU norms at the institutional level.

CHAPTER 6. DISCUSSION AND CONCLUSION

This chapter provides a brief overview of the research. It captures the key findings and the methodological approach used for the study. The main emphasis of the chapter, however, is a summary and discussion of the research conclusions, including discussion of the research questions and hypotheses defined in the Introduction (Chapter 1).

6.1. Summary of the research problem and methodology

The collapse of communist dominance in Eastern Europe launched the process of complex post-communist transformation which comprised both political and economic transition as well as consolidation of post-communist nation-states. The divergent paths of post-communism have shown that this process required a thorough approach which should have been dealing with legacies of communism and other country specifics in which the transition took place. Cross-country and regional differences in approaching the challenges and pace of post-communist transformation have split post-communist states into ‘high-pace’ and ‘low-pace reformers’. While the first group of countries (mainly in East Central Europe) were able to overcome most of the key transformation challenges by quickly embracing democratic norms and accomplishing their transition to a market economy, the second group (post-Soviet and Balkan states) fell into a state of prolonged or stalled transition.

Although geographic and historical factors could be applicable in explaining this line of division, ‘high-pace reformers’ not only had more favourable domestic environment for the implementation of reforms, but they also received significant EU assistance and support for the respective changes. In contrast, those states that remained outside the EU’s influence and its institutional pressures were also those which fell behind in their post-communist liberalisation. The division was further deepened by the fact that EU membership could not be extended endlessly, while the EU was still supposed to play an important role in domestic transformations of the countries that fell in the grey zone of democratisation — through conditionality and assistance and in the absence of membership incentive.

Ukraine appeared as a country which could accomplish its transition — with limited assistance of the EU. The country was relatively more successful in its political and economic transformations than other states from the grey zone (Table 1.1 and Table 1.2 in Chapter 1). Ukraine's model of oligarchic capitalism preserved political pluralism which under pressure from Ukrainian nationalism prevented the consolidation of authoritarianism. Finally, Ukraine formally declared its desire to join the European Union and had consequently approached the EU, which strengthened cooperation between the two parties and allowed the EU to achieve a greater normative impact in Ukraine.

However, a number of attempts towards democratic consolidation (such as Ukraine's democratic revolutions) and the EU's efforts to promote democracy in the country have generally failed. While Ukraine's electoral process and civil society have remained generally free, corruption, weakness and non-transparency of state institutions as well as unaccomplished nation-building remained the main domestic problems for Ukraine's transition. An absence of clear prospect of membership in the EU also coupled with the increasing pressures from Russia, representing external factors that contributed to the failure. Ukraine consequently emerged as a unique case for studying various aspects of post-communist transformation, including the impact of external influences on the drive towards democracy.

While various theoretical approaches explain post-communist democratisation from different viewpoints, two of them appear particularly important in explaining the features of Ukraine's post-communist transition. The first is the institutional approach which can be considered as a middle ground between pre-deterministic modernisation and structural theories and agent-centred transitology that emphasises the role of political and social actors or agents throughout the process of regime change and post-communist transition. Second, the path-dependence approach provides a useful tool for explaining some of the decisions made by the agents as crucial in setting the trajectory of the transition. In this context, critical junctures may be represented by events with self-reinforcing logic and agency.

This thesis has also tested the mechanisms of democracy and market economy promotion used in the process of Europeanisation within the framework of neoclassic realism in examining the impact of external actors (and particularly

the EU) on all three aspects of Ukraine's transition. Although previous studies have emphasised specific domestic or external determinants of post-communist transition, this study incorporates both domestic and external factors into one framework.

A number of works on Europeanisation have referred mainly to EU member-states, while the investigation of the EU's impact on countries outside Europe was more limited. The analysis of the EU's foreign policy was often EU-centric and lacked critical and context-based analysis. This study provides an alternative approach by incorporating *calculus* logic into the Europeanisation framework and by stressing the importance of studying the *perceptive* part of Europeanisation from the perspective of the actor who seeks to be Europeanised — in this case, Ukraine.

This study was partially conducted in Ukraine; it relies on mixed method that incorporates quantitative data but is guided mainly by qualitative research tools in setting up the design, developing conceptual and theoretical instruments and interpreting and clarifying the results of the study. This research is based on the extensive review of relevant literature, data from publically available surveys and interviews with civil society in Ukraine. The main interviewing phase of the research took place in January-March 2016. Some additional data were obtained from interviews held during December 2016-February 2017.

The next section provides conclusions for each of the three research questions raised in this thesis, and answered in accordance with the above-outlined theoretical and methodological framework.

6.2. Review and discussion of the main conclusions

This thesis has addressed three research questions:

1. What are the key factors that have impacted and determined the process of Ukraine's post-communist transition? How do these factors interact in Ukraine's context and what patterns and outcomes do they create?
2. How has the EU supported / deterred Ukraine's post-communist transition with its actions and policies?
3. How can Ukraine-EU cooperation be further enhanced to positively contribute to the successful post-communist transformation of the country? Which

kind of cooperation is determinant for this success and how can the role of the EU, Ukraine or other actors be respectfully moderated?

The first question concerns domestic and external factors of Ukraine's post-communist transition, answers to which, together with corresponding conclusions are summarised in Sections 6.2.1 and 6.2.2. Sections 6.2.2 and 6.2.3 sum up the answers to the second and third research questions and outline the main conclusions which have been drawn in this regard.

6.2.1. Domestic factors in Ukraine's post-communist transition

Academic literature portrays Ukraine as a new and divided state with persistent patterns of historical, political, socio-economic and cultural divisions. These divisions have been revealed in the origins of Ukraine's stateness, unaccomplished nation-building and domestic fragmentation — the main structural factors of Ukraine's transition. Meanwhile, weak state institutions; wide-spread corruption and the persistence of non-reformist elites are considered the main problems on institutional and interactional levels of analysis. This section demonstrates how the various aspects of Ukraine's post-communist transition have been grouped within the structural, institutional and interactional dimensions.

6.2.1.1. Clarifying domestic factors in Ukraine's transition

Foremost, Ukrainians do not view Ukraine as a state in transition from communism but view it as a state with an already established free market and a system of competitive oligarchy as a form of democracy (Chapter 1: 46-7). Nonetheless, Ukraine is yet to proceed with the consolidation of its democratic institutions. As such the major challenges to Ukraine's post-communist transition are concealed within its political culture and the on-going search for national identity — those issues that most starkly represent Ukraine's communist legacies. Furthermore, the problems of combatting corruption and non-transparent practices are also bonded to political culture. Altogether, these facts demonstrate that Ukraine still has not completed its post-communist transition. Although the country has managed to succeed in some aspects of transition (electoral fallacy and

liberalisation of economic activities), it is yet to achieve progress in others (political culture and nation-building).

In this process, structural (including civilisational) factors have not been determinant for the outcomes of Ukraine's post-communist transition per se. Rather structural constraints and historical legacies feature as deep conditions that may be overcome with time. In this process, institutions represent a middle ground between the continuity of structural constraints and old institutions and a change produced by new decisions that result in the establishment of new institutions. Therefore, decisions and policies may produce institutional change and potentially counter structural constraints. Below are Ukraine's key historical legacies that have reproduced themselves as major conditions:

- Ukraine has a weak historical legitimacy as a state due to its limited experience of independent policy-making and the absence of clearly set borders: Kyevan Rus' in the tenth-twelfth centuries was a proto-state, Cossack Hetmanate in 1649-1654 lacked proper state institutions, the Ukrainian People's Republic of 1917-1921 lasted for only four years and also failed to create durable state institutions.

- Until 1991 Ukraine was predominantly ruled by foreign powers.
- Enduring foreign rule was decisive in shaping Ukraine's institutions and practices which differed at different territories: this was especially important in the context of pre-war Habsburg legacies in Western Ukraine and Russian imperial legacies in the rest of the country. As such, Ukraine's state institutions were formed mainly under Soviet rule (Sections 3.6 and 4.1.1 of this thesis).

- Ukraine's regional differences were formed through the stratification of varying (externally imposed) legacies that differed in quality, duration and the area of distribution. These legacies have accordingly found their reflection in Ukraine's modern regionalism, identity differences and differing perceptions of the course of foreign policy (Section 4.3).

- Class division within Ukrainian society has overlapped with an identity rift: since historically the majority of Ukrainians were peasants, they viewed economic and political elites as either Polonised or Russified. The same

division exists in modern Ukraine, where political elites are alleged as either pro-Russian or pro-European but not those caring about Ukraine.

- The history of Ukrainian lands and people also shows that regime changes in Ukraine had a predominantly rebellious and militarised character (revolts, revolutions), which made Ukraine a suitable case for the path dependence approach.

This leads towards two additional important conclusions. First, since external actors were powerful in affecting Ukraine's domestic structures, the varying historical legacies that Ukraine experienced could have had a crosscutting impact on its institutions (the next subsection discusses this in greater detail).

Second, the state institutions of modern Ukraine were mainly shaped during the Soviet period, which made communist legacies determinant in Ukraine's post-communist transition. According to the institutional approach, the rule of the nomenklatura was preserved after 1991 and led to the establishment of competitive authoritarianism, where the former nomenklatura grew into a new capitalist class. Political leadership in emerging independent Ukraine represented the old system attempting to preserve itself by limiting the access to social ladders, which led to two social explosions, namely the Orange and Maidan democratic revolutions. Simultaneously, business and politics have merged, and manipulation of public opinion has continued even in the context of the democratic revolutions (Sections 4.2.3-4.2.5). In this way, Ukraine's transition represents a layering of the remnants of Soviet institutions onto the template of democratic institutions, where social demand and the international environment remain key driving factors behind Ukraine's on-going attempts at democratisation (Sections 4.2.2 and 5.2.3.2).

Currently, Ukraine has accomplished the first phase of its post-communist transition by abolishing communism and introducing formal democratic institutions as is envisaged by the transitologist approach. Indeed the system that has been established on the ruins of communism incorporates features of democracy. However, the functioning of Ukraine's democratic institutions still includes communist traits, which impede the successful functioning of established institutions of the country's market economy. Ukraine has yet to achieve substantial progress in making these institutions work transparently and efficiently. Therefore, only the process of democratic consolidation will signify the victory over

the remnants of communism that still prevent Ukraine from becoming a full-scale democracy.

6.2.1.2. The crucial role of agency vis-a-vis structural constraints in the transition process

This thesis argues that agency and policy-making may still prompt institutional change despite the enduring legacy of old institutions. This point also applies to Ukraine in the context of the path dependence approach, because Ukraine's post-communist democratisation began with a decision to abolish the communist system.

On the one hand, the choice to abolish the communist system did not eradicate the impact of communist legacies on the newly built democratic institutions, because this decision was made by the members of the former nomenklatura and thus the representatives of the old system. As a result, there exists a qualitative gap between the newly established institutions of democracy and a market economy and still dominating/existing practices of communism, which reflects on the promise of the path-dependence approach that new institutions may function in parallel to some preserved institutional legacies (for example, the strong role of informal relations in modern Ukraine).

Another premise of the path-dependence approach supported in this thesis is that structural constraints do not restrain political actors during critical junctures. This was reflected in that the very launch of Ukraine's post-communist transition was agent-driven and it was based on the balance of power between the communists and the opposition forces, which in the Ukrainian case was in favour of the former. Nevertheless, the elites made a choice in favour of democratic transformation and market restructuring without any reference to Ukraine's structural background. Similarly, the general passivity of population which is often viewed as a main structural constraint behind failed democratisation of the former Russian empire did not restrain the people from the 1905 and, later on, from the 1917-1918 revolutions. Neither this alleged passivity prevented the Bolsheviks from successfully mobilising their supporters and establishing communist rule (Section 3.4), which reveals the importance of agency during the critical juncture as a driving force behind subsequent institutional changes.

Even more important in this context is that, once the initial opportunity (momentum) for transition is lost and reformist elites do not take over, the fusion of old and new institutions takes place instead of a qualitative leap. For example, although the Ukrainian democratic revolutions are not comparable with the 1917 Russian revolution, they also reveal that the initial decisions made in the aftermath of a revolution determine the course of subsequent reforms. Whereas the Orange revolution has generally failed due to the absence of reform initiatives, the Maidan revolution has succeeded in implementing only those initiatives that provided the new regime with public legitimacy (Sections 4.2.3, 4.2.5 and 5.3). As such the momentum of institutional change appears to be crucial in overcoming the impact of structural legacies through agency.

Meanwhile, an absence of strategic planning and thus continuity in shaping institutional development remains the main problem of Ukraine's transition. Although Ukraine has slowly evolved into a society where at least formal adherence to democratic rules became a social norm, Ukraine's ultimate democratisation remains unstable and chaotic, while the absence of elites to support this movement with institutional framework delays and even interrupts this process.

An absence of political will to promote Ukraine's post-communist transformation is reflected in that some progress in Ukraine's democratisation occurred only in gradual steps after the two democratic revolutions (Figure 4.3, Figure 4.5, Figure 4.9). In the absence of agents for a rapid institutional change, Ukraine's institutions should gradually emerge from popular demand and under supervision of external actors that may assist in organising this move through a network of NGOs (the next sub-section will elaborate if and how external actors may support Ukraine's institutionalisation). In this regard, Ukraine's bottom-up drive towards democracy remains vitally important for the related aspects of its protracted transition such as unaccomplished nation-building, weak state institutions, and corruption.

In the context of Ukraine's nation-building, prioritising a single identity narrative and excluding other out-bond groups from society has resulted in war, radicalisation of society and a deeper societal rift as opposed to the desired consolidation. Therefore, promoting liberal political culture as part of multi-cultural democratic environment is crucial for building civic Ukraine (Section 4.3.2).

In this regard, Ukraine's regionalism and the multiplicity of its identities may not necessarily become a source of Ukraine's failure to successfully complete its threefold post-communist transition, because Ukrainians do not view identity differences as vitally important in their daily life and identity clashes do not take place in an absence of political manipulation. Furthermore, while most of Ukrainian identity narratives are ethnically-based and may advance to the development of *bad* nationalism, these identity narratives relate to the minority of Ukrainians. In contrast, public opinion polls indicate that the majority of Ukrainians share inclusive notion of identity and thus may embrace truly civic and liberal notion of Ukrainian identity. In this process Ukrainian civil society and political leaders are crucial for instilling liberal political culture, which once again demonstrates the importance of agency when dealing with structure-defined problems such as nation-building (Section 4.3).

In parallel, the weakness of Ukraine's state institutions which has prevented Ukraine's democratisation, has also preserved the diversity of Ukraine's political environment. Presumably, Ukraine's political stalemate may produce a consensus on institution-building and thus benefit the construction of state institutions in a long run. Meanwhile, plurality of political agents should be sustained, with the main emphasis made on making state institutions transparent and accountable.

Although an absence of non-corrupt elites is viewed as a key problem in this respect, post-Maidan Ukraine has also demonstrated that new elites have emerged. Their number is still not large enough to turn the tide, but they may slowly change the politics and political culture in Ukraine if and when their number grows (Section 4.2.5). With this background, liberal political culture may mould contrasting national identities and competing political camps, paving the way for a more sustainable and democratic development. This process is more durable than the desired rapid change but is more certain in achieving consolidation across the various trajectories of Ukraine's transition. Ukraine's civil society may serve as an alternative agent of democratisation who can pressure political elites to make necessary reforms and changes which will gradually lead towards a more consolidated democratic model that will suit all strata of population irrespective of their identity or class.

As such, the institutional approach proves suitable not only for describing Ukraine's institutional change in time through *big* critical junctures, but also in

explaining which legacies have hindered Ukraine's post-communist transition and how they can be overcome through agency. Meanwhile, the importance of agency for overcoming structural and institutional barriers in the transition refers not only to the mechanism of critical junctures but also to gradual consolidation of Ukraine's institutions on the basis of public aspirations.

6.2.2. External factors of Ukraine's post-communist transition and the role of the European Union

Considering the global trend of growing authoritarianism, the role of external factors in Ukraine's transition may be not as advantageous as predicted. Moreover, the underlying stimuli of external assistance to Ukraine's post-communist transition requires a more rigorous approach based on the incorporation of both normative and materialist aspects in the studies on democracy promotion. For example, Russia-EU political and ideological competition performs as a significant interfering factor that restrains Ukraine's successful transition. While the EU is generally viewed as a normative actor and supporter of Ukraine in this process as opposed to more authoritarian Russia, EU normativity cedes to material interests in the context of its competition with Russia over Ukraine. Together with the EU's failure to properly communicate why it has excluded geographically European Ukraine from its enlargement agenda, geopolitics prevents the EU from assisting Ukraine's post-communist transition more effectively.

Some of the reasons behind this failure may be found in structural explanations. Most of the territories of modern Ukraine have not been historically aligned with what is viewed as European civilisation; as a result, Ukraine lacks societal structures similar to European ones. In addition, Ukraine's functioning state institutions were formed under Soviet rule; respectively, Russia's impact on Ukraine's societal structures was stronger than that of the EU or Europe. As such, the institutional transformation of post-communist Ukraine represents a middle ground between Russian influence exerted through historical legacies, the most important of them Soviet institutions, and the EU's impact reflected in the establishment of post-communist democratic and market institutions. Finally, the role of agency in Ukraine's transition remains a relatively equally impacted area by

both external actors, — although Ukrainian elites have been the primary decision makers, as discussed in Sections 5.2.3.2 and 5.3).

Foremost, viewing Ukraine's Christian Orthodox background and Slavic origin as part of the civilisational (structural) argument against Ukraine's successful democratisation is not completely valid, because the Orthodox religious background and Slavic origin have proven compatible with modern democratic regimes as shown by examples of such countries as Christian Orthodox Greece and all Central European post-communist states of Slavic origin that have successfully democratised.

Moreover, Ukraine represents a unique case in which cultural Orthodox identity overlaps with European political identity. The Cossack stratum was one of the examples of such a combination (Section 3.1). Furthermore, while part of Ukraine experienced the legacy of the Habsburg Empire and Austria-Hungary, the Russian empire also followed a path of modernisation by reforming its political and economic institutions in order to westernise and catch up with more advanced European economies at the time (Section 3.2). Although the establishment of the communist regime had interrupted this process, Westernisation naturally continued after the collapse of communism. In this context, neither Russian nor pro-Russian Ukrainian identities have prevented Ukraine's successful democratisation. The problem lies in the interpretation of these identities in Ukraine itself, which is driven by preserved communist totalitarian political culture (Section 4.3).

While the EU has clearly marked its political identity in the founding documents and established political and economic criteria for potential members, political leadership in post-Maidan Ukraine emphasises the civilisational dimension of Ukraine's post-revolutionary transformation, strengthened by the military conflict with Russia (Sections 4.3, 5.2.3.3 and 5.3). Misconception also persists in the implementation of EU-promoted reforms and with regard to the EU's perceived role in Ukraine's transformation. On the one hand, the adoption of the EU's *acquis* could have accelerated the transition of Ukraine's post-communist democratic institutions, while the EU's support of Ukraine's civil society could have promoted consolidation of these institutions. However, the EU does not develop strong conditionality due to its normative considerations of being, in essence, a self-restraining power, while Ukrainian elites resist the implementation of reforms that are envisaged in already promoted conditionality.

The EU's bargaining power works for the Ukrainian elites only if it does not contradict their own interests (Sections 5.1.2 and 5.2.3.2), pointing to the crucial role of agency in post-communist transformation. In this context, the EU must either abandon its idea of self-restraint or accept the rules of game in Ukraine while shifting its attention towards *deeper* levels of Europeanisation (e.g. socialisation and persuasion). Presumably, even formal democratisation promoted by the EU through its *acqis* may advance Ukraine's post-communist transition if civil society absorbs and lives up to the imported norms. As Ukrainian civil society is still relatively weak, it needs to strengthen further and to re-invent some of EU norms for Ukraine.

Meanwhile, Ukraine's general public performs as the main agent of democratisation in Ukraine, since its demands have been reflected in two democratic revolutions joined up by civil society (Sections 4.2.2 and 4.2.5.2). Therefore and against the background of non-reformist elites in Ukraine, the EU still may promote democratic changes in Ukraine by targeting general public and civil society. And whereas this strategy does not contradict the EU's overall developmental approach, it raises a set of problems related to perceptive and communicative components of Europeanisation.

Despite the fact that the EU remains a main donor of developmental aid in Ukraine, communication and explanation of EU norms remains rather limited in the country. At the policy and cooperation level, mutual misperception is reflected in the fact that the EU, although remaining the main provider of technical assistance and thus expertise on reforms in Ukraine, achieves ambiguous results when it comes to the implementation of reforms, because such changes require specification, guidelines and, most importantly, control on the EU's part. Meanwhile, EU perceptions among Ukrainian general public are somewhat mythologised, while the understanding of EU norms as ways of doing things depend on individual experience and identity. Altogether this points to the need for devising a more context-based approach towards Ukraine that would consider both European and Ukrainian expertise.

Considering the lack of knowledge about the EU among Ukrainian general public, EU norms need to be clarified and explained more rigorously. While the degree of socialisation between Ukraine and the EU has increased in the aftermath of the Maidan revolution, this has not been reflected in a better understanding of

the nature of the EU or its norms. The declarative support to human rights and democracy in Ukraine is mingled with support for authoritarianism, reflected in a belief that one strong leader could resolve all Ukraine's problems (Section 4.2.5.2). However, the more recent public opinion polls (Rating, 2018) indicate that majority of Ukrainians demand radical changes and are not satisfied with the current course of Ukraine's development, meaning that such mood may result in radicalisation of society. Meanwhile, a narrative of *being European* has replaced a narrative of being a *new Soviet person*, yet illiberal political culture still persists in Ukraine. The on-going Donbas war only entrenches this problem, and the EU's capacity to promote liberal political culture may be extremely beneficial to Ukraine in this context.

Furthermore, although the EU has generally succeeded in creating a positive image of a normative *self* in Ukraine, not only this image is idealised (which may lead to strong disappointment which is already present in Ukraine), but also Ukrainian non-reformist elites exploit this image to achieve legitimacy within and outside Ukraine. Meanwhile, despite remaining an attractive integration pole in Ukraine, the EU is perceived as somewhat distant and unattainable among the broader public. As a result, EU norms remain detached from Ukraine's realm and this hinders adoption of these norms.

In this way, the EU communication problem reveals that both socialisation and mutual understanding are crucial for the success of EU democracy promotion efforts in Ukraine. In targeting the problem, EU programmes that aim for the education of young Ukrainians may be of significant benefit if they promote a more liberal yet critical perception of reality among the participants. The EU should improve its knowledge about Ukraine's ways of doing things, its background and interests, as this could lead to a better fit of EU policies in the country and explain some of the communication gaps experienced by the parties (Sabatovych et al., forthcoming 2019).

6.2.3. Countepraying domestic and external influences. What should and should not be done for more successful Ukraine's post-communist transition

The research conducted in this thesis has, as defined in the introduction (p. 14) incorporated the following four hypotheses:

1. Domestic factors of post-communist transition are more decisive than external ones.

2. The impact of the structural factors on post-communist transition has been less important than the political decisions which are not necessarily moulded by structural constraints.

3. EU effects concentrate mainly on the institutional and interactional levels of post-communist transition.

4. EU presence in Ukraine remains rather superficial, which requires a more context-based approach, including the need for a better understanding of Ukraine and its needs.

As has been demonstrated in previous sections, Ukraine's domestic influences interlace with the impacts of external factors on its post-communist transition. Since Ukraine has obtained its independence recently, the impact of Russia on the societal structures of Ukraine remains higher than that of the EU. Regardless, their external influences are reflected in Ukraine's identity narratives that reinforce respective models of development and foreign policy preferences (Section 4.3.2). However, in already independent Ukraine, the role of local elites has become more important in determining Ukraine's institutional transformations and in promoting the narrative of *return to Europe* among broader public, which facilitates the EU's normative impact in Ukraine.

Ukraine's post-communist institution-building, therefore, represents an outcome of the interplay between the interests of Ukraine's political elites and the impact of external actors in which the former prevails and confirms **hypothesis one** of this research that domestic factors of post-communist transition are more decisive than external ones. As was discussed in Chapter 5, a gradual shift towards Europeanisation in Ukraine's foreign policy was caused by both a need to counter Russian influence and by economic opportunities provided by the EU in the context of its bargaining power. However, in the other areas the EU's impact remains rather limited due to Russia-first approach and an absence of strong interest of the EU in Ukraine's democratisation.

The EU not only performs as a self-restraining actor in this regard by shifting responsibility to Ukraine's elites, but the EU also supports those Ukrainian elites that are declaratively pro-reformist and pro-European despite their evident lack of

interest in full democratisation. As a result, EU initiatives in reforming post-Maidan Ukraine have both improvements (conditional financing) and the persistence of old problems such as poor congruence to the context of Ukraine's policy-making (land reform, export of round wood) and interests (trade relations).

The discussion in Chapter 5 has also confirmed the validity of research **hypothesis three** about the EU's limited impact on Ukraine's structural problems and its stronger influence on Ukraine's institutional building. Indeed, Ukraine's formal approximation of EU legislation may lay the foundations for a more substantial democratisation, while approximation of trade standards may lead to a greater integration of European and Ukrainian markets and a corresponding spillover of EU norms and practices to Ukraine. The same logic has been observed with regard to the abolition of communism, when the establishment of the basic institutions of democracy has prevented Ukraine's backslide to totalitarianism.

In light of the persistence of non-reformist elites in Ukraine, the EU has also revealed certain policy changes such as conditional financing, which points to attempts by the EU to achieve better results in Ukraine. The main persisting barrier however is a contradiction between EU normative and material (realist) interests. The prevalence of the latter undermines the EU's capacity to assist Ukraine in its post-communist transition by neglecting Ukraine's national interests. In this context, the best option for Ukraine would include EU assistance in selected areas (such as civil society) with gradual absorption of EU norms. Yet considering the self-interest of Ukrainian elites and the demand for democracy among the broader public, the EU may still promote liberal political culture as a tool for a more substantial and deeper impact on Ukrainian society (as was mentioned previously in this chapter).

The adoption of European values by broad social strata may lead to a gradual institutional change in favour of more transparent and accountable institutions and towards a consensus on nation-building. In addition Ukraine's pro-reformist and modernist forces may unite under EU aegis to support Ukraine's bottom-up democratisation, as their number is slowly growing. Yet Ukraine's domestically-driven decision to Europeanise, clearly demonstrates that Ukraine's transition remains mainly a quest of its internal struggle, further confirming **hypothesis one** of this research. As such, EU support and monitoring over the

process of Ukraine's institutional change may succeed only in providing Ukraine with the offer for membership and thus sharing adaptation costs with the country in line with argumentation by Pridham (2002; 2005) and Schimmelfennig (2008; 2012) on the effectiveness and limitations of Europeanisation beyond Europe.

Meanwhile, in addition to the importance of balancing between interests of local elites and the EU, the balancing between Russian and European interests represents another challenge for Ukraine's on-going transformation. The Russian issue remains a prominent structural factor for Ukraine's transition, and it is often viewed as a barrier towards Ukraine's quicker integration into the European orbit. Yet depicting the Russian issue as the main barrier for Ukraine's institutional transformation is misleading. As was demonstrated in Section 5.3, Russia's impact on Ukrainian policy-makers is limited by Russia's bargaining power (which is similar to limitations faced by the EU). In turn, Russia's impact on Ukraine's broader public is limited by the fact that it performs as a role model to only to Russophone Ukrainians (Section 4.3.2). Therefore, promoting one or another vector of integration and identity narrative depends fully on the choice of Ukrainian decision-makers, and the same refers to institutional changes, altogether supporting **hypothesis two** (on the determinant role of decision-making vis-a-vis structural constraints) and **hypothesis one** (on the determinant role of domestic factors of transition in comparison to external influences).

In some respects, the Russian factor may even be seen as beneficial for Ukraine as it assists the country in terms of economic cooperation and offers substantial financial benefits in the absence of prospects for European integration (c3Ukr11). At the policy level, this may also enable Ukraine to be more cautious in adopting EU *prescriptions* that may not benefit the country's specific interests (e.g. some trade or agricultural regulations). Together with discussion in the second half of Section 6.2.2, this confirms **hypothesis four** which states that the EU needs to develop a more context-based approach based on a better understanding of Ukraine's needs and interests if it wants to broaden and strengthen its impact on Ukraine's political and economic affairs.

Thus, although Russia-EU competition is very damaging for Ukraine's political stability, it has some positive effects in the economic sphere as both external actors have used economic *carrots* to engage Ukraine in their orbits of

influence. Prior to the Maidan revolution this had maintained Ukraine's economy balanced and growing, while the country's reorientation towards the European market and simultaneous loss of the Russian one after the revolution resulted in the loss of economic advantage under relatively vague economic prospects.

6.3. Final remarks and recommendations

This research has incorporated those theoretical views on post-communist transition which could have been assessed as useful in explaining features of and developments during Ukraine's post-communist transition. The transitologist concept of actor-driven and elite-promoted democratisation has explained the initial stage of Ukraine's transition. It can be also used to explain the non-revolutionary character of a regime change in the early 1990s as well as the emergence and main developments during and after Ukraine's two democratic post-communist revolutions.

The notion of an agency-driven transition has been justified primarily by the fact that regime changes featured in characteristics of a critical juncture that endowed political actors with power to overcome structural constraints. The transitologist argument on the importance of non-violent transition (O'Donnell & Schmitter, 2013) has also been useful in explaining non-violent transition in the early 1990s (and less so during the Orange revolution) as opposed to the Maidan revolution when the use of violence confirmed the weakness of state institutions and weak legitimacy of political regime.²⁰

However, in the aftermath of the initial stage of transition (when pacting or a peaceful revolution has already occurred), the argument on the importance of communist and historical legacies (Ekiert & Hanson, 2003; McFaul, 2002; Petrovic, 2013) could explain the re-shaping and functioning of newly established democratic and market institutions. This fact supports the claims of the institutional approach

²⁰ While the use of violence in this case could be explained by the lack of institutionalised agency (Elster et al., 1998), violence per se has undermined already weak state institutions and amplified domestic problems of Ukraine's post-communist transition. As a result, all those reforms that followed the Maidan revolution were driven primarily by external actors (the EU and IFOs), while domestic demand for reforms has increased but remained under-institutionalised (Chapters 4, 5).

and the path-dependency assumption that old legacies may reproduce themselves even when new institutions are already established.

Although economic development was not determinant for the outcomes of transition, in line with the transitologist argumentation (Przeworski, 1991), economic growth proved to be an important condition for the consolidation of democratic institutions: both democratic revolutions in Ukraine were launched as attempts at such consolidation and both were supported by *want-mores* rather than *have-nots* (Chapter 4). Economic growth in the beginning of the 2000s and economic recovery after the 2008 global financial crisis blurred the distinction between the elites and ordinary Ukrainians, and Ukrainian citizens began to desire political liberties.

Furthermore, this thesis has demonstrated that post-communist transition is not limited to market or democratic transformations only; socio-cultural aspect has remained a key problem of Ukraine's transition. Although the country has achieved some progress in its post-communist democratisation and marketisation, Ukraine's political culture has remained largely intact and still remains grounded in communist political culture. Only if the country proceeds with the incorporation of liberal norms into its political culture, the socio-cultural aspect of the transition may become a source of a change and support for Ukraine's democratic consolidation.

Importantly, Ukraine's shift towards a more liberal socio-cultural model overlaps with political and socio-cultural interpretation of the Europeanisation process. Whereas theorisation and conceptualisation of EU assistance in post-communist transformations initially supports the thesis about the importance of conditionality and thus the transitologist argument on democratic transition or formal democratisation, the shift towards socialisation and persuasion within the Europeanisation framework explains how democratic institutions may be consolidated (Börzel & Risse, 2009; 2012). As this thesis reveals, socialisation and persuasion may dismantle the socio-cultural barriers to Ukraine's post-communist transition by promoting liberal values and culture in the country.

Meanwhile, the hypothetical membership opportunity remains the main source of the EU's transformative power in Ukraine: membership implies that not only the EU guides the process of respective transformations (and thus backs up the states in transition and shares responsibility for the success of transition, which is important for Ukraine) but also that the EU provides accessing states with clear

benefits that will overwhelm current adaptation costs (Schimmelfennig, 2012). In contrast, in the absence of the EU membership incentive Ukraine's elites reject strong conditionality, while the persuasion mechanism still has to be elaborated as it takes more time to produce its effects. The problem extends to the fact that the EU's enlargement fatigue has constrained its potential enlargement to the currently listed candidates (the Western Balkan states and Turkey, whose candidate status is currently de-facto frozen (Eldem, 2013)), and the membership incentive will not be available for Ukraine in the near future. In these circumstances, in the absence of membership incentive, motivating Ukrainian domestic actors towards a desirable change becomes complicated. As a result, the determinant role of Ukrainian elites in (non)-reforming the country persists, being a part of those domestic factors that are a decisive determinant of the current status quo and resist external influences.

In attempting to promote strong conditionality and persuasion, the EU must maintain a careful balance of promoting working relationships with Ukrainian officials while at the same time motivating broader public to increase their pressure. In practice however, leading by example is rather complicated for the EU in Ukraine's context, because the country represents a key challenge for the EU's normative power with regard to two main issues: security (the Russian issue and geopolitics) and trade interests (*calculus* approach).

Both Russia and the EU are applying different strategies for promoting their visions of security models in Ukraine. Considering that security is of vital importance for every international actor and is a key precondition for their survival and sustainability, it would be naive to expect Russia or the EU to prioritise Ukraine's security interests over their own. Moreover, although a lowering of geopolitical tension between the two actors may significantly support Ukraine's stability and enhance cooperation within the EU-Russia-Ukraine triangle, this seems unlikely to happen in the near future, particularly due to the on-going Russia-Ukraine conflict.

Under such circumstances, Ukraine should attempt to limit the impact of external influences on its preferences or to balance against those influences that contradict Ukraine's interest in sustainable economic development and democratisation. In various ways and to various degrees these are reflected in both Russian and EU positions on security and economic cooperation. However, Ukraine's key problem in this regard and another reference to the crucial role of

domestic factors in its transition refers to the inability of its political leadership to make decisions that advance the country's overall well-being and long-term progress as opposed to serving personal interests of state captors.

In the relationship between external influences and Ukraine's domestic policy-making, some of the specifics of Ukraine's policy-making aspects refer to the absence of Ukraine elites' state awareness: those who were considered Polonised or Russified in historical context are viewed as pro-Russian or pro-Western in modern Ukraine. Irrespective of the narratives used, Ukrainian elites prioritise self-enrichment over national interests, which determines their choices of the vectors of foreign policy.

Therefore, promoting transparency and accountability among state institutions, political parties and civil organisation may help the fight against corruption and promote consolidation of democratic institutions in Ukraine. In this respect, the role of the EU and other international actors can be crucial for Ukraine (Section 5.2.3). Furthermore, frequent changes of leadership are essential for depriving political actors of the ability to capture state; Ukrainian presidents have tended to conduct most of their reforms (including positive ones) during their first terms of presidency while consolidating power and promoting authoritarianism during their second terms.

While Ukraine's state capture has prevented the construction of strong democratic institutions in the country, political and economic pluralism of competing oligarchic clans has nonetheless prevented Ukraine from becoming an authoritarian state under the leadership of a strong president. In addition, the diversity of Ukraine's identity narratives, political parties and business groups should not be considered a problem for Ukraine's democratisation.

Although Ukraine's regionalism is often viewed as a threat to Ukraine's socio-political consolidation due to the regional differences in identity narratives, economic specialisation and political culture, Ukraine's regionalism does not threaten Ukraine's sovereignty per se. While the future status of Crimea and Donbas remains in question, most Ukrainians in the other regions of the country share a common desire to live in a democratic and prosperous state, which may become a building block for its consolidation in the future (Section 4.3.2). The key starting point for that is the resolution of the Russia-Ukraine conflict, which, as

with many other tasks in Ukraine's post-communist transition, depends on the ingenuity of Ukraine's political leadership.

6.4. Limitations of the study

This research has been conducted by a Ukrainian, who may be considered biased by some readers but who has been hoping to provide a more detailed, context-based, independent and critical approach towards studying the role of external agents in Ukraine's transition. Similarly, the researcher's geographical distance and thus remoteness from Ukraine should have enabled her to offer a more objective and critical approach of developments in her native country.

The research for this study has focused on post-communist transition of Ukraine exclusively and is thereby limited in its capacity to produce comparative results. Nevertheless, some theoretical and policy-making aspects may be potentially generalised to other cases.

This study has examined the EU's role in and the impact of other external actors on Ukraine's domestic affairs primarily from Ukraine's viewpoint. The causes and motives behind the external actors' stances and policies towards Ukraine have been investigated only to a limited degree. The study has not aimed to provide in-depth research on the nature of the EU, its policies or plans for Ukraine.

By merging theoretical developments, particularly in the area of theory on post-communist transition and Europeanisation, this research did not cover theories of international relations or European integration in-depth, although some researchers may find such theories useful.

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APPENDIX A. INTERVIEW QUESTIONNAIRE

1. What do you think of while hearing the term ‘post-communist transition’?
2. How then would you describe a successful transition?
3. What domestic problems in your opinion prevent Ukraine from successful post-Soviet transformation?
4. Do you think the history of Ukraine’s state becoming may affect its modern socio-economic and political changes?
5. How would you evaluate the role of Ukraine’s political leadership in its on-going transformations?
6. Do you think that state institutions limit the actions of Ukraine’s political and economic elites, or the elites affect the way Ukrainian institutions perform?
7. What role might general organisation and similar actors play in Ukraine’s further transformations?
8. Does your organisation have any professional involvement with the EU, its institutions or member-states?
9. When thinking about the term “the European Union”, what three issues come to your mind?
10. How would you describe an overall common between Ukraine and the EU?
11. What period in Ukraine’s cooperation with the EU was in your opinion the most productive?
12. Can the EU advance to Ukraine’s successful post-communist transition? If yes - how? If not – why not?
13. Does the EU affect Ukraine’s political decisions?
14. Do you believe the EU may shape an understanding of “normal”/”normative” in Ukraine?
15. Are there any domestic problems in Ukraine, which the EU cannot assist with?
16. Do you think Ukraine is capable of becoming a prosperous democracy without a membership in the EU?
17. What is the role of geopolitical factor in Ukraine’s post-Soviet development?
18. When it comes to Ukraine as a whole, what is more accurate in your opinion: ‘history matters’ or ‘it's all about the staff’?

APPENDIX B. INFORMATION SHEET

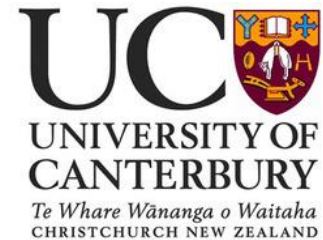
Information Sheet

National Centre for Research on Europe

Telephone: +64 27 300 4561

Email: iana.sabatovych@pg.canterbury.ac.nz

06 November 2015



Is there a successful transition without European integration? An investigation of the key determinants of Ukraine's post-communist transformation

Information Sheet for Interviews with the participants

My name is Iana Sabatovych, and I am a PhD student at the University of Canterbury, New Zealand. The study you are offered to participate in investigates the determinants of Ukraine's post-communist transition. The project particularly focuses on the extent to which the EU is able to affect Ukraine's socio-political and economic transformations upon the absence of membership incentive.

As a follow-up to this investigation, you will be asked to take part in semi-structured interviews, which should take approximately 30-45 minutes.

Participation is voluntary. You will be provided with the transcript of your interview and will be able to make changes to the data if you wish so. However, once analysis of raw data starts, it will become increasingly difficult to remove the influence of your data on the results. You will have as much time as you need to review the data as well as to decide on whether you want it to remain in the project. However, upon the submission of the edited transcript, you won't be able to withdraw the data from the analyses.

The results of the project may be published, but you may be assured of the complete confidentiality of data gathered in this investigation: your identity will not be made public without your prior consent. To ensure anonymity and confidentiality, de-identification will

be carried out according to the University's Human Ethics Council guidelines. This means that you have been assigned a code that will be used on all the data you provide.

Furthermore, research participants' identifying data will be stored separately from the de-identified data on locked hard drives and in password-protected electronic form. The data will be backed up at university server and will be also password-protected. This means that only the researcher will be able to link you to the data and no identification will be disclosed. The de-identified data will be accessible only to the researcher, Iana Sabatovych, her direct supervisor, Dr. Milenko Petrovic, and co-supervisors, Prof. Martin Holland and Assoc. Prof. Natalia Chaban. All data will be stored for a period of 10 years after the completion of the PhD study and will then be destroyed.

Please note that a thesis is a public document and will be available through the UC Library. For that reason you are asked to indicate to the researcher on the consent form if you would like to receive a copy of the summary of results of the project or other materials complemented on the base of the data from your interview.

The project is being carried out for the PhD degree by Iana Sabatovych under the supervision of Dr. Milenko Petrovic, who can be contacted at: *milenko.petrovic@canterbury.ac.nz*. He will be pleased to discuss any concerns you may have about participation in the project.

This project has been reviewed and approved by the appropriate department and the UC HEC Low Risk Approval process, and the participants should address any complaints to The Chair, Human Ethics Committee, University of Canterbury, Private Bag 4800, Christchurch (*human-ethics@canterbury.ac.nz*).

If you agree to participate in the study, please complete the consent form and return it to the researcher prior the interview.

Thank you very much for your participation,

Iana Sabatovych